



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, TUESDAY, MARCH 23, 2010

No. 45

## House of Representatives

The House met at 10:30 and was called to order by the Speaker pro tempore (Ms. MARKEY of Colorado).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 23, 2010.

I hereby appoint the Honorable BETSY MARKEY to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

### DISINGENUOUS SAVINGS IN HEALTH CARE BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

Mr. STEARNS. Good morning. Madam Speaker, my colleagues, I've come here this morning to talk about the health care bill. The Senate health care bill that we passed which honestly continues to spend far more than we can afford and at a rate faster than anyone could have imagined. The bill itself is chock-full of budget gimmicks to game the system to show that it's revenue-neutral. I am briefly going to outline this morning why it's not revenue-neutral.

In fact, future Congresses will repeal some of these cuts in Medicare and some of those taxes, like the tax on certain Cadillac health care plans. The President indicated that he would veto any health care bill that created a dime, a penny of deficit. Well, Mr. President, I hope you are listening because I have gone through the scoring on the Senate health care bill, and it's chock-full of gimmicks, and in fact, this bill creates a deficit. Let's take a look at them.

These savings that the CBO scored will not be achieved, and let me first of all start by saying there's 10 years of taxes to pay for 6 years of benefits. That's one of the gimmicks we should understand. Many of the taxes will start immediately, yet the health exchange does not begin until 2014. The two large cost drivers are Medicaid expansion and the health care exchange, but there are only 6 years of the exchange costs in the budget window. So if we're going to have taxes for 10 years, and we're going to institute the program four years later, much later, then these will be cost savings obviously.

But once this thing gets going, after 10 years of taxes and 6 years of benefits, what happens after that? No one knows. Obviously there is going to be a deficit. That's the first thing I want to start out with. There are cuts throughout this healthcare bill to Medicare. But they are fiction. Let me give you an example. They have a 21 percent cut in what's called the SGR which is the sustained growth rate, or the funding rate for physicians. So they're going to cut physicians on their SGR by 21 percent, and they're going to do a 2 percent cut every year for the rest of the decade. So this would require a \$208 billion fix. Now is this going to occur? Remember now, we have just passed H.R. 3961, a doc fix. So they're already agreeing that we have to fix Medicare for doctors, yet they are going back

into this health care bill and cutting them even more to get cost savings realizing they will have to stop these cuts or devastate the Medicare program.

There are \$156 billion in cuts to the hospital market basket. Now this is the reimbursement formula used to calculate payment rates. Can we realistically expect to provide a negative cost increase to hospitals? Or are we creating another so-called SGR-type situation for hospitals in this bill? There is \$70 billion in what's called Community Living Assistance Services and Supports program. This is a new entitlement. It's an insurance program for assisted living programs. However, it does not collect enough revenues and pays out too little. It's estimated this program will become insolvent in 2020. Senator KENT CONRAD has called this a Ponzi scheme of the first order that would make Bernie Madoff proud. Another fictitious cost savings. There will be \$15 billion cut by the Independent Payment Advisory Board. This is an unelected body who will be able to force Medicare cuts and reforms throughout the system. But where are they going to cut? Congress can only vote to stop it if three-fifths of the Senate votes to stop the cuts. They have continually talked about a tax on Cadillac health care plans. They use this as a saving of \$32 billion. You know whose Cadillac health care plans we're talking about? We're talking about unions plans. They are the ones who will be affected. Do you think the Democrats are going to tax unions' Cadillac health care plans? That's not going to happen.

So I will tell you that once this gets passed, they're going to repeal this tax at future points. There are 10 years of taxes to pay for 6 years of benefits, as I mentioned earlier. The two large cost drivers are Medicaid expansion and the health care exchange, but there are only 6 years of the exchange costs in

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H2217

the budget window. So again, that's a gimmick. Also there are costs which are not included by the CBO because they would not be subject to future appropriations. They are not mandatory spending. So that's why the CBO didn't include the following:

There is \$10 billion to hire about 16,000 new IRS agents to enforce the individual mandate on every American. So CBO did not include this in the scoring because it would be subject to future appropriations and not mandatory spending. So CBO didn't even include that. And what about the number of employees who are going to be hired by Health and Human Services to operate this bill? That's not in here. There is \$55 billion for new bureaucrats to run this government expansion into health care, none of that is included by CBO. So Mr. President, you should realize that if you sign this bill, you're signing a bill that is going to create deficits. The savings we will see are not there. We are continuing to put this country in hock to China and deficits for the foreseeable future.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 36 minutes p.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. MARKEY of Colorado) at noon.

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, who orders the heavens and guides the affairs of humanity on Earth, be with the Members of this, the 111th Congress of the United States of America. Make known Your will for the common good of the Nation and reveal Your presence in the midst of our activity. By Your spirit, renew in all those who have sworn to uphold and defend the Constitution the original enthusiasm, high ideals, positive attitudes, and desire to make a difference that brought them to serve here.

Banish all indifference and quicken every response in them to the needs of Your people and to the challenges of the time. Proud to serve, raise them with renewed hope and deepened faith to manifest the strength of character,

the integrity, and nobility this institution deserves.

May Your Divine Providence lead them to represent and reflect the genuine good and greatness of the American people by their prayer, honest search for truth, unified action, and great deeds. So may the people of this Nation grow in patriotism and give You the glory—now and forever.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### REPEAL HEALTH CARE BILL WITH REAL REFORM

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Madam Speaker, today, the liberal editors of the Washington Post state in their lead editorial that the current trajectory of entitlement spending will bankrupt the country. On the facing page, conservative commentator George Will calls America's entitlement programs a Ponzi scheme and "a teetering tower of unkeepable promises." Indeed, this is the true crisis in American health care.

We have already made over \$100 trillion in entitlement promises we can't keep. But what Congress has just done is not reform. It does not bend the cost curve. It does not reform entitlements. It just makes more promises that can't be kept. ObamaCare pours gasoline on the fire of our entitlement crisis.

This Congress has squandered an opportunity to save and strengthen America's safety net. When they should have put on the brakes, they put their foot on the accelerator. We need to repeal this terrible bill and replace it in a bipartisan way with real reform.

#### THE RUSSIANS ARE COMING, THE RUSSIANS ARE COMING

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, there's a new push to drill for oil in the Gulf of Mexico. The "Drill Here, Drill

Now" slogan is finally sinking in. But the new rigs won't be flying American flags. They'll be Russian rigs drilling for oil in the Gulf of Mexico—right there off our own shores.

The Russians and the Cubans are now in cahoots to drill for oil we should be obtaining. Then they'll probably sell it back to us at an increased price. We don't drill off our own coast, so we have to import more crude oil. And it gets worse every year. It's costing Americans millions. Plus, Americans won't be getting those high-dollar rig jobs.

We have our own natural resources, but refuse to explore them because of the elitists. We're a decade or more away from green technology—when we all will be driving those itty-bitty toy cars that you can buy by the six-pack. But the anti-American energy elites dominate Congress and the White House. Unfortunately, they'll let us freeze in the dark before they will allow offshore drilling.

And that's just the way it is.

#### AMERICA STANDS WITH ISRAEL

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Today, I had the privilege of welcoming the Prime Minister of Israel, Benjamin Netanyahu, for his second visit to the United States Capitol. The American people consider Israel our most cherished ally and we her closest friend and guardian. As we met, Israel lives under the shadow of a threatening neighbor seeking nuclear weapons but, remarkably, this administration seems intent on focusing on a controversy over construction in undisputed areas of Jerusalem instead of the threat of a nuclear Iran. As I just told the Prime Minister, I never thought I'd live to see the day that an American administration would denounce the State of Israel for rebuilding Jerusalem. If the world knows nothing else, let it know this: America stands with Israel.

As the President meets with Prime Minister Netanyahu today, I urge the President to stop all this talk about settlements in Jerusalem and start focusing on isolating a threatening and menacing and rising nuclear Iran. The American people and the American Congress in both parties support the State of Israel.

#### LET'S GET BALANCE BACK IN THE COUNTRY

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Madam Speaker, dramatic times require dramatic actions. There's a part of the Constitution that hasn't been used since its inception: Article V, the part that says that "on the application of the legislatures of

two-thirds of the several States, Congress shall call a convention for proposing amendments." Since the 17th Amendment took out the last check and balance on usurpation of States' rights, it's time to get the balance back in place.

We have 39 States upset, wanting to do something, and not have another unfunded mandate coming down their throats. This will do it. Let's get an amendment that gets the balance back into the country and the Constitution before this Congress destroys what's left.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1300

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. TITUS) at 1 o'clock and 1 minute p.m.

#### PROVIDING FOR CONSIDERATION OF H.R. 4849, SMALL BUSINESS AND INFRASTRUCTURE JOBS TAX ACT OF 2010

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1205 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 1205

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4849) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gen-

tleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

#### GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1205.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARDOZA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 1205 provides for the consideration of the Small Business and Infrastructure Jobs Tax Act of 2010. The rule provides for 1 hour of general debate controlled by the Committee on Ways and Means. The rule waives all points of order against consideration of the bill except for clause 9 and 10 of rule XXI. The rule also provides that the amendment in the nature of a substitute reported by the Committee on Ways and Means, modified by the amendment printed in the Rules Committee report, shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions.

Madam Speaker, despite what you may hear, the fact is that the Recovery Act has saved or created over 2 million jobs, and we have seen signs that our economy is starting to grow once again. In 2009, we saw a 2.8 percent GDP growth in the third quarter, which represented the biggest 6-month turnaround in our economy since 1980. And the fourth quarter's 5.9 percent growth is a dramatic change in direction from when President Obama took office and the economy was then shrinking by minus 6.4 percent.

Before President Obama took office and we passed the Recovery Act, we were losing an average of 600,000 jobs per month. Since passing the Recovery Act, job loss has slowed to an average of 90,000 per month. After suffering through the worst economic crisis since the Great Depression, job loss has nearly leveled off in the past 2 months. We're almost back to par.

It is clear that the economy is growing again and employers are not only not shedding from their payrolls but they are starting to hire once again. Those are the economic facts and a clear sign that the actions taken by the Obama administration and this Democratic Congress are in fact working to turn the economy around.

However, having said that, this does not mean that we are out of the woods by any stretch of the imagination.

In too many parts of the country, including my district in California, the recovery has been slow. Unemployment is still high, and we continue to lose jobs by the thousands. Few regions of the Nation are suffering more from the recession than my San Joaquin Valley of California. The three biggest cities

in my district—Merced, Stockton, and Modesto—have some of the highest foreclosure and unemployment rates in the country.

As I've said before, my district has been economically ravaged at a level equal to the devastation that we have seen oftentimes in the aftermath of hurricanes.

Now is not the time to sit back and relax but to continue to give this economy a shot in the arm that it needs in so many areas like mine. And we will get the extra stimulus we need to overcome this recession once and for all by passing this and other measures that will be coming before us.

This is why Congress just passed, and President Obama just signed, the HIRE Act to help create jobs and strengthen our economy, and to bring help to our communities, like the one I represent. It funds infrastructure projects and provides tax incentives and credits for businesses to hire unemployed workers to help small businesses invest and expand.

That is also why we are bringing this bill, H.R. 4849, the Small Business and Infrastructure Jobs Tax Act of 2010, on the floor today with an additional provision, a proven measure to further stimulate the economy.

The small businesses of America form the backbone of economic growth in our country. In fact, they are responsible for creating three out of every four jobs in the United States. That is why with this bill we are continuing to foster their growth and entrepreneurial spirit by completely eliminating the capital gains taxation on stock investments made in small businesses through 2011. This provision will help encourage investments immediately and will help small businesses put more people on their payrolls, continuing to drive our economic recovery.

H.R. 4849 also increases the deduction for start-up expenditures for small businesses from \$5,000 to \$20,000, giving our budding entrepreneurs a better opportunity to succeed.

The bill provides substantial relief to small businesses who run afoul of certain tax rules. Current law was intended to punish large corporate tax cheats but has had the unintended consequences and effects of threatening small businesses with bankruptcy. This bill removes the stiff penalties for small businesses to ensure that they will keep their doors open and continue creating jobs.

H.R. 4849 makes an additional allocation of Recovery Zone Bonds to ensure that each locality receives a minimum allocation, and hardest-hit areas of the country, such as my district, are not overlooked like they were in the initial allocation in previous legislation.

I'm especially thankful to the Ways and Means Committee for addressing the concerns I raised regarding this issue.

Finally, this bill extends the Recovery Act's Build America Bonds program. To date, State and local governments have financed well over \$78 billion in infrastructure projects using this tool to create jobs and help improve water utilities, sewers, schools, hospitals, transit buses, and other public projects.

Financial experts such as Stephen Gandel have called Build America Bonds one of the economic recovery effort's biggest successes.

Madam Speaker, speaking for my own district, nowhere are this and other jobs bills more necessary than the San Joaquin Valley. We needed help last week, we needed it a year ago. Economic relief for my constituents remains long overdue.

It is time to stop blaming. It's time to stop playing political games. It's time to start providing the relief people so desperately need. It's important we keep our foot on the gas pedal and continue to give our economy the jolt it needs while it is starting to awake.

Madam Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank my friend, the gentleman from California (Mr. CARDOZA), for the time, and I yield myself such time as I may consume.

Over a year ago, Madam Speaker, the President promised that if Congress passed the so-called stimulus bill, unemployment would not reach 8 percent. Well, here we are today with unemployment just under 10 percent. It turns out that the stimulus bill was anything but a job creator. Instead, it was a monumental waste of money that created tons of debt for the Nation.

Since then, the people have demanded that the majority stop their unbridled spending spree. They want Congress to focus our work on commonsense job creation legislation that does not spend away the Nation's future.

Yet 2 days ago the majority ignored the American people and passed the so-called health care bill. It costs over a trillion dollars. A bill that, just like the so-called stimulus, does nothing to create jobs except for new IRS agents in the case of the new legislation. It has over \$500 billion in new taxes and mandates on businesses that will inevitably lead them to lay off workers or forgo hiring new workers.

Knowing that the people have rejected their signature issues, that the majority has ignored the number one issue in this country—the lack of new jobs—the majority now puts forth H.R. 4849, which it calls the Small Business and Infrastructure Jobs Tax Act. They desperately want to be seen by the people as doing something on jobs—anything on jobs. But just calling a bill a stimulus does not mean it will stimulate job creation.

This bill does not create jobs just because the majority has slapped “jobs” on the title of the bill. This bill is

nothing more than a hodgepodge of narrow, targeted tax provisions that will not create new jobs. Although it's sold as a jobs bill, it actually amounts to a net tax increase at a time when Congress should be lowering taxes in order to encourage job growth.

In this legislation, the largest tax is a \$7.7 billion one on foreign companies located in the United States employing American workers. Yes, a tax on companies employing American workers. Already the U.S. is the only country in the world that taxes the overseas income of its businesses. Every other country taxes the income obviously only that is earned within its borders. So we tax income anywhere in the world.

Now, higher taxes, as called for in this legislation, will further encourage those businesses to keep their income earned abroad in foreign countries and invest it there and create jobs there rather than in the United States.

□ 1315

Jobs will be moved. Jobs that they would have created in the U.S. will be moved to other countries, reducing employment opportunities in the United States, depressing wages for current American workers. This is not a way to get Americans back to work, Madam Speaker. It's an example of the dogma of the absurd at work.

According to the Joint Committee on Taxation, “the effects of the bill are so small relative to the size of the economy and the degree of uncertainty associated with the estimate as to be incalculable within the context of a model of the aggregate economy.” So, at the very least, this jobs bill won't create jobs.

Now, it sounds like the stimulus that didn't stimulate. It's more of the same from this congressional majority.

What is ironic is that, if the stimulus had worked as sold, we wouldn't be here today. We told the majority, Madam Speaker, we told them that their stimulus would do little, if anything, to spur job growth. What is so unfortunate is the American people are having to pay the price for the majority's incompetence.

One of the central tenets of the Democrats' campaign in 2006 was that they would run Congress in a more open and bipartisan manner. On December 6, 2006, the Speaker reiterated her campaign promise. She said, “We promised the American people that we would have the most honest and open government, and we will.”

The Speaker even laid out how she would carry out her promise in a document called, “A New Direction for America.” In it she wrote, “Bills should be developed following full hearings and open subcommittee and committee markups, with appropriate referrals to other committees. Bills should generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the mi-

nority the right to offer its alternatives, including a substitute.”

This bill, Madam Speaker, like so many before it, fails to meet that standard. Contrary to the promise, the majority brings forth today a rule that forbids Ways and Means Ranking Member CAMP from offering the minority's substitute amendment. It also blocks every other Member from both sides of the aisle from offering amendments.

What makes this violation of the Speaker's promise so unfortunate is that, on Ways and Means bills, Madam Speaker, the House has a long history of allowing the ranking member to offer a minority substitute. We should defeat this rule and allow the House to proceed through regular order and allow Members to participate in the legislative process.

I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, in response to my friend and colleague from Florida, I would just remind him that, in this particular legislation, we are paying for our tax cuts. We are not going to, like they did when they were in charge, by cutting taxes and leaving it for their children to pay for, this bill pays for this tax cut by closing foreign tax loopholes that were given to special interests. I think that that's a trade the American people will accept every single day.

Madam Speaker, I now would like to yield 2 minutes to the gentlewoman from California (Ms. CHU).

Ms. CHU. Madam Speaker, first I want to thank Chairman LEVIN and Chairman MCDERMOTT for including in the manager's amendment the extension of the Jobs NOW program. I would also like to thank Chairman LARSON and the co-Chairs of the Congressional Jobs Working Group, BETTY SUTTON and ALCEE HASTINGS, for their support of this bill and program.

I rise today to support the manager's amendment to H.R. 4849, the Small Business and Infrastructure Jobs Tax Act, which extends an extremely successful employment program I call Jobs NOW. It has created over 156,000 jobs in 29 States across the country. It is extraordinary for the fact that it has been able to create jobs so quickly.

The model is Los Angeles County, where Supervisor Don Knabe created over 11,000 subsidized jobs in 1 year, jobs like park rangers, receptionists, teacher's assistants, and childcare workers. Workers got paid \$10 an hour for up to 40 hours a week. The employer provided 20 percent of the wage cost and the Federal Government provided the rest.

The reason it succeeded is that it was a win/win for both small business and workers. Main Street businesses like Armstrong Pies in Linden, Tennessee, used this program to add 10 employees, buy new equipment, increase production, and expand their distribution. That's a big step forward with a little bakery. Workers in this program can sleep better at night knowing they can put food on the table.

Madam Speaker, I submit for the RECORD an email from one of the participants in Los Angeles, Ms. Avila.

From: Alyssa Avila  
Sent: Thursday, March 11, 2010 3:14 PM  
To: john@l-chamber.com  
Subject: S.T.E.P. program

HELLO JOHN—I am so happy that I have been given the opportunity to receive this incredible work experience through the program. It has been a little over 3 months since I began this job, and I have to say it has changed my life so much in this little time. For one it has given my husband and I a chance to experience the feeling of having a steady income that we can actually live off of. With him only working it wasn't enough for our family to survive on. I have been able to get off of cash aid and have also been able to realize the importance of keeping a job for the financial security. Not only the financial aspect but the learning factor and the chance to prove myself to an employer without them being judgmental. Any other employer wouldn't give me a chance just for my lack of experience. Even though I know that I can definitely do the job it really takes a toll on your self-esteem when you're turned down. I also think it's very important for my children to see me actively working. Now since I've been employed they are constantly reminded how important it is for people to work all their lives. The importance of responsibility starts as a child and it is very important to me to be a good role model and show my children that having a good work ethic is key in life. I just can't be thankful enough for this opportunity and hope that we can get it extended for one more year.

Sincerely,

ALYSSA AVILA.

She says, "It has been a little over 3 months since I began this job, and I have to say it has changed my life so much in this little time." She also states, "I have been able to get off of cash aid and have also been able to realize the importance of keeping a job for the financial security. Not only the financial aspect but the learning factor and the chance to prove myself to an employer without them being judgmental." In addition, she says, "I also think it's very important for my children to see me actively working." Further, "show my children that having a good work ethic is key in life. I just can't be thankful enough for this opportunity and hope that we can get it extended for 1 more year."

The manager's amendment and bill will, indeed, extend this program. I strongly support the manager's amendment.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, it's my privilege to yield 3 minutes to my friend from Washington (Mr. REICHERT).

Mr. REICHERT. I thank the gentleman for yielding.

Madam Speaker, well, at least today we are talking about incentives for small businesses. That's a start. People are still asking: Where are the jobs? We are still at close to 10 percent unemployment.

Small business, I think as everyone knows, is responsible for over 80 percent of our jobs in this country, and I am standing here today because yesterday I submitted two amendments. In fact, this is the second time I have sub-

mitted these amendments. The first time was in the Ways and Means Committee, asking for the current tax laws governing small businesses, the capital gains tax and other taxes on small businesses, to stay the same, to not go up. But come January capital gains tax will increase by 20 percent.

We are going to ask businesses to try and hire new employees under a heavy burden of taxes. We are talking about a bill today that's \$15 billion of incentives, limited incentives, hours after we have slapped them with hundreds of billions of dollars of tax increases under the health overhaul bill.

There is a 3.8 percent investment tax; other penalties if you don't provide mandated health care. This doesn't include the \$588 billion in other tax hikes coming in December when the current tax rates expire. Because of that, one-third of all businesses and their activity would be taxed more. Raising taxes is the last thing we should be doing to small businesses.

Where are the jobs? People keep asking.

I have to say, I am disappointed that my amendments weren't accepted in the Ways and Means Committee. They were voted down, and I have to say, again, I am disappointed that they were once again voted down last night in the Rules Committee.

The last thing we should be doing to small businesses is raising taxes. The last thing that Congress should be doing is raising taxes. Small businesses today need certainty about what's going to be happening to them in the future. Small businesses today want to hire employees, but they can't hire employees because they are being taxed too much.

I think we have one question in this Congress to ask, and that is: Do we want to raise taxes on small businesses or do we want to help small businesses by keeping their tax burdens low? I am one of those that stand up and say, I want to keep the tax burdens on small businesses low so they can hire employees, so we can generate jobs, so we can generate this economy and get this country moving forward.

Mr. CARDOZA. Madam Speaker, I listened carefully to the comments of Mr. REICHERT, the gentleman from Washington. Typical of the other side of the aisle and his political party, my colleague, the amendment that he offered violated PAYGO.

Now, as I look back on the recent history of our country, as we have lowered taxes and we didn't pay for them, the deficit ballooned out of control. That's exactly what people are upset about, the deficit ballooning out of control, and it was their economic policies that got us into this mess.

Madam Speaker, at this point I would like to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this and his leadership

guiding the rule for us. This is important legislation for us to consider. It's ironic that our Republican friends are saying that the solution they want is more tax cuts.

If you look at the jobs trajectory, in the Clinton administration where the tax levels were what they are going to be reverting to under the law, written by the Republicans, by the way, compared to what happened in the Bush administration where spending went up, taxes were cut, the economy collapsed, then we had the lowest rate of job creation during Bush years even though we took their prescription and cut taxes for all sorts of special interests. It is important that we are moving forward from this point by paying for the things that we do.

It's a hard lesson, but it worked in the 8 years of the Clinton administration where we had deficits reduced every single year until, at the end, we were actually in surplus compared to what happened later and had more robust job creation, lower deficits, more jobs by having a balanced economy and focusing on what's important. It is important being able to rebuild and renew this country.

I am pleased that we have in here the Build America Bonds, that we will be able to extend a favored treatment to local governments, to be able to build infrastructure, to be able to fight congestion, fight pollution, be able to revitalize communities. These bonds have been very successful in the last program we had. This extends it for 3 more years.

I would hope, Madam Speaker, that at some point we will be able to return to the era where at least one area was not partisan, and that is infrastructure and rebuilding and renewing America. Even Ronald Reagan supported user fees for things like transportation.

I hope we get to the point where the commitment to infrastructure, to roads, to transit, clean water, clean air, cleaning up Superfund sites, again enjoys the bipartisan support that it has at home here in Capitol Hill.

We have a wide range of groups, from the Chamber of Commerce to AGC to truckers who are willing to work with us to be able to provide this vital program going forward. I hope we reach that point, but, in the meantime, approving this legislation, jump-starting infrastructure for the next 3 years and not adding to the deficit, but being deficit neutral, and dealing with areas, in fact, in some cases, recognized by the Bush Treasury, that there was abuse of the tax system and needed to be changed.

I hope we approve this rule, I hope we approve this legislation and we are able to get on to the business of continuing improving the economy.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I remember before the era of President Obama and trillion to trillion-and-a-half dollar deficits, \$200 billion, I remember, used to be a lot of money. President Clinton,



I remember his budgets, since the era of the 1990s was just mentioned, called for at least \$200 billion budgets ad infinitum. And I remember the great struggles between the Republican congressional majority in the 1990s and the Clinton White House that finally led to a balanced budget, despite President Clinton's submittal of budgets with at least \$200 billion of deficits indefinitely into the future. So that's setting the record straight.

□ 1330

What is important to note at this point, I think, is that increasing taxes in a recession is the worst thing that we could do, and the Democratic majority continues to do it time and time again.

I yield such time as he may consume to the distinguished ranking member of the Rules Committee, Mr. DREIER.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, let me first thank my friend from Miami, my Rules Committee seatmate, for his very thoughtful remarks. It was listening to him that led me to come to the floor.

He opened his remarks, Madam Speaker, by referring to the commitment that President Obama made, that if we were to pass the \$1 trillion stimulus bill, that the unemployment rate would not exceed 8 percent. He very thoughtfully reminded us, Mr. DIAZ-BALART that is, in his statement that, unfortunately, we have an unemployment rate that is hovering around 10 percent. And as my friend from California regularly shares with us in the Rules Committee and here on the House floor, the unemployment in his congressional district in some areas exceeds 20 percent.

It is a very sad and tragic thing that we deal with, in our State of California, a statewide unemployment rate of 12.2 percent; the unemployment rate in some of the areas that I represent, 14.4 percent. And then, as I said, Mr. CARDOZA has very tragically an unemployment rate that is in excess of 20 percent.

Of course, anecdotally, we continue to hear horror stories of people losing their homes, people losing their businesses. And we know how tough this is. We know how horrible the situation is for families when young children are forced to move from their homes. And that is the reason that I believe that it is absolutely imperative that we focus our attention on the best possible prescription for job creation and economic growth.

I think one of the things we have found, Madam Speaker, is the \$1 trillion stimulus bill was not only not the answer, but when we were promised that the unemployment rate would not exceed 8 percent and it is hovering about 2 points above that, we know that it not only has not been the answer to the problem, but I think every

shred of empirical evidence that we have is that that has exacerbated the problem. Why? Well, it gets back to the remarks that Mr. DIAZ-BALART just shared with us about the level of Federal spending.

As we look at the problems that are out there, job creation and economic growth is critical; but I continue to hear overwhelmingly from my constituents and from people with whom I speak across this country that the fact that we have seen now in the first 14 months of this administration an increase in the Federal debt that is larger than the increase in the debt that everyone on both sides of the aisle decry during the entire 8 years of the Bush administration is a sad commentary.

Let me repeat that, Madam Speaker. We have seen in the first 14 months of this administration an increase in the national debt that is larger than the entire increase in the debt during the 8 years of the Bush administration.

Now, the byproduct of that is an article that just appeared on March 22 in Bloomberg, and it points to the fact that there is less confidence in the bond market for the Federal Government than there is for private sector companies like Berkshire Hathaway, the Lowes Company, Johnson & Johnson, and others. Meaning, that as we look at what has always been seen not only in the United States, but around the world, as the most stable and confident investment that people can look to, the most stable investment is now developing yields that are below those of private sector companies.

There is less confidence in the future of the Federal Government. And there is a very simple reason for that, and it is that we have seen this constant increase, an exacerbation of our deficit and our debt. And that is why doing everything we can, Madam Speaker, to rein that in needs to continue to be our priority.

What is it that has happened? Well, 1 hour ago the President of the United States signed what will be ultimately a \$1.2 trillion bill to deal with the issue of health care.

We all know that having every American have access to quality health insurance is an extraordinarily high priority for people on both sides of the aisle. But as we look at some of the details of what this legislation that will end up because of the doc fix, which everyone says will be included in that, totaling \$1.2 trillion, we have gotten to a point where we will see the hiring of reportedly 18,000 new Internal Revenue Service agents who are going to be, through what will look like a new 1099 form, the provider of that insurance policy; and the American citizen will have to ensure that there is compliance with this new mandate, a dictate from the Federal Government that is going to be imposed on every American.

And so as we look at dealing with this problem, and everyone decries government spending, we just 1 hour ago

saw a humongous new cost burden imposed on the American taxpayer.

Now, my friend from California, Madam Speaker, has just said, and he did in the Rules Committee yesterday, he talked about the fact that he liked the notion of cutting the capital gains rate and that he was supportive of the general thrust of what Mr. REICHERT was trying to do. And Mr. SESSIONS offered that amendment up in the Rules Committee, but he did mention the fact that it was not paid for. I just listened to the remarks: it is not paid for. And, Madam Speaker, I think it is really important for us to look at this issue of "paid for."

Now, I have stood in this well for a long period of time, frankly, since I first got here, because I came here with Ronald Reagan, to talk about the bipartisan approach that needs to be taken towards getting our economy back on track. Steve Forbes in his great new book entitled, "How Capitalism Will Save Us," refers to real-world economics. We have to look at reality here.

Now, it is a pipe dream for people to believe that somehow, if you reduce the top rate on capital gains, that it is going to be a huge burden to the Federal Government when every shred of evidence that we have is that not only will that kind of tax incentive be paid for, it will dramatically increase the revenues to the Federal Government. And the best example—I don't think I need to appeal to our other side of the aisle by pointing to Ronald Reagan. But as I look to the other side of the aisle, I would appeal by making the argument that this is exactly what President John F. Kennedy, one of our Nation's greatest Presidents, a Democrat, did in 1961.

Madam Speaker, what he did was he brought about broad, across-the-board marginal tax rate reduction, including a large reduction of the capital gains tax rate.

Now, my friend says this needs to be paid for. Madam Speaker, not only was the Kennedy capital gains rate reduction paid for; it led to a doubling of the flow of revenues to the Federal Treasury. Similarly—and that is why I like to talk about this as a bipartisan proposal—in 1981, Ronald Reagan did the exact same thing. We saw across-the-board marginal rate reduction and at the same time we saw a reduction of the capital gains rate. And what happened, Madam Speaker? Not only did that marginal rate reduction and capital gains reduction pay for itself, it actually doubled the flow of revenues to the Federal Treasury during the decade of the 1980s.

Now, we know that there are those who say that the tax reductions that we saw in the early part of this decade, the decade that we have just gone through, are responsible for the increase in the deficits that we had, completely forgetting the fact that we have had to see huge increases in spending on national defense, on veterans benefits, on homeland security, things that

came about because of the tragedy of September 11 of 2001. We also have seen other increases in spending.

Madam Speaker, we could have done better when the Republicans were in the majority. I am the first to admit that. But if you look at the fact, again, as I said just a few moments ago, the \$2 trillion increase in the national debt that has taken place over the last 14 months is larger than the entire increase in the debt that took place during the 8 years of the Bush Presidency.

So that is why I think that what we need to do is take this bipartisan approach; and since my friend from California, the manager of this rule here on the House floor, has argued that we should bring about capital gains reduction but he says he wants it to be paid for, we need to look at the fact that that kind of reduction not only pays for itself but will help us deal with the tremendous debt burden that we face today. And, again, the cost of that increased debt burden is hurting the United States of America in this country and in international markets around the world.

That is what we need to do, not looking at a hodgepodge of ideas, trying to pick out what incentive here for one part of the economy or another. We need to let real-world economics actually be applied here; and, unfortunately, we haven't been, and this bill does not do that at all.

I thank my friend for yielding.

Mr. CARDOZA. Madam Speaker, it never ceases to amaze me how the Republicans use selective memory when they talk about American economic policy.

On the very day that President Obama was inaugurated into office, he came in with a \$1.3 trillion Bush hangover in debt for that year.

Mr. DREIER. Will the gentleman yield?

Mr. CARDOZA. I will not yield, Mr. DREIER.

The prescription that we are offering today reduces the national debt by closing foreign tax loopholes. There is plenty of things that we can do to start closing the tax cuts and loopholes that shouldn't be in the tax law to pay for tax cuts for honorable Americans.

I do support reducing capital gains fees. I think we can do that, but they need to be paid for. We put those PAYGO rules in place in the mid-1990s, and we left the last time we had the White House with a \$5.4 trillion projected surplus. In 8 short years, we saw that turned around to what we have been left with, the mess that we have been left with now. That is not Mr. Obama's fault. That is not the Democratic Party's fault.

This bill will reduce the deficit by \$2.6 billion. We are paying for our tax cuts. We are going to stimulate the economy, we are going to rebuild America with investment bonds, and we are going to reduce the national debt. That is the way you do American economic policy that works, Madam Speaker.

I now yield 2 minutes to the gentleman from Indiana, a tireless supporter of Americans and small business, a leading advocate for fixing the flawed IRS penalties on listed transactions, Mr. DONNELLY from Indiana.

Mr. DONNELLY of Indiana. Madam Speaker, today I rise in support of the rule for H.R. 4849, the Small Business and Infrastructure Jobs Tax Act, because it provides crucial tax breaks to America's small businesses and will fix an esoteric IRS penalty that is unintentionally threatening to bankrupt small business owners at a time when we badly need their contributions to economic recovery.

Madam Speaker, a lot of my colleagues in the House may be unaware of the unintended consequences of section 6707A of the Internal Revenue Code. Designed to crack down on large corporate tax cheats, this law has too frequently had the unintended effect of levying huge mandatory penalties on small business owners who make simple mistakes.

Two years ago, I learned that a small business owner who employs four people in my district was assessed \$600,000 in mandatory penalties for unintentionally failing to notify the IRS that he had purchased a type of insurance policy that resulted in a total tax savings of only \$38,000 over 2 years. This Hoosier business owner was not trying to avoid paying taxes, and he has repaid his back taxes; however, the flawed law requires the IRS to enforce these massive penalties, even if the result would mean instant bankruptcy for a simple filing error.

So, Madam Speaker, we support the rule for H.R. 4849, and I urge my colleagues to vote "yes" on the rule and "yes" on the passage of the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 1 additional minute to Mr. DREIER.

Mr. DREIER. Madam Speaker, I would like to engage in a discussion, if I might, with my friend from California. He did not want to yield to me, but I am happy to yield to him and I look forward to that, to say that the \$1.3 trillion deficit that was inherited by President Obama on the day he came into office has actually been dramatically eclipsed by, as I said, the \$2 trillion increase that we have seen in the debt take place.

And I want to also argue that I am not pointing the finger of blame at the Democratic Party. When President Bush came into office, we had just seen the bubble burst, and he inherited an economy that was actually on a downward slope at that juncture. So there is plenty of finger-pointing that can go around. I mean, it is. My friend's from California. Did the bubble not burst? I would say he is shaking his head, and I am happy to yield to my friend.

□ 1345

Mr. CARDOZA. The bubble burst when Mr. Bush got to office and started an economic policy that—

Mr. DREIER. Madam Speaker, if I may reclaim my time, I will remind my friend that the election was held in 2000. The election was November of 2000. That bubble burst in 1999. 1999. Fully a year before that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield the gentleman 1 additional minute.

Mr. DREIER. I am happy to yield to my friend, if he would like to respond. I am always happy to engage in a discussion with my friend.

Mr. CARDOZA. I am happy to respond on my own time, since I got cut off when I tried to answer the question the last time.

Mr. DREIER. I would be happy to further yield to my friend. I control the time, and I am happy to yield to my friend.

Mr. CARDOZA. I will answer the gentleman on my own time when I control the time and I won't be cut off.

Mr. DREIER. So, Madam Speaker, the gentleman does not want to engage in a discussion on this issue, simply putting forth platitudes about finger-pointing and all, when I'm trying to, in a bipartisan way, take the vision that was put forth by John F. Kennedy and Ronald Reagan, recognizing that we have challenges that we should address together.

I am happy to further yield to my friend.

Mr. CARDOZA. Madam Speaker, I will respond to my friend by saying this: Every time I've tried to answer him, he's cut me off. I will answer on my own time.

Mr. DREIER. I am happy to further yield to my friend.

Mr. CARDOZA. The gentleman can yield till hell freezes over. I'll answer on my own time.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. DREIER. Thank you very much, Madam Speaker.

Mr. CARDOZA. Madam Speaker, I yield myself such time as I may consume.

When Mr. Clinton left office, he left the next administration a budget surplus for the year that Mr. Bush took office and a projection for \$5.6 trillion in surpluses. That bounty was squandered by Mr. Bush and the Republicans in Congress at that time and we got left with an aftermath where we had to bail out the banks, where we had to bail out the economy.

Mr. Obama was left with a \$1.6 trillion deficit on the day he took office. Those are undisputable facts. And I am proud to stand on the Democratic record on economic policy, and I am proud to stand on this bill, where we're going to reduce the deficit while rebuilding America and cutting taxes for taxpayers that live in the United States and not for foreign corporations. I will take that record to the bank every single day, Madam Speaker.

Madam Speaker, at this point I would like to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the distinguished gentleman from California, and I thank his good friend from Florida for managing this bill and their leadership on these issues, as well as the Ways and Means Committee.

Just a few minutes ago, the President of the United States signed a health care bill that many thought would not pass that will save us \$1.3 trillion over the next decade. Today, we come to the floor and address the concerns of many Americans, representing to America that this majority is both sensitive and able to address issues that are hurting the American people and the American economy. This bill does just that. And I am very pleased to rise to support legislation that addresses the question of providing incentives for small businesses to hire people and to give them an incentive to do so.

I'm very pleased that we will have the opportunity in our local jurisdictions to be able to rebuild and to issue bonds dealing with water and sewers. The fact that I was a former Houston City Council member, I understand sometimes where the rubber hits the road: to rebuild those entities; to allow State and local governments to be able to save money through the alternative minimum tax; to be able to allow low-income housing to take money over low-income tax credits, hopefully to use it effectively. And I want to join with the chairwoman of the Congressional Black Caucus as I thank this legislation for having the extension of the emergency fund on TANF. That means my State of Texas can actually have provisions that will allow people to be hired for 1 year. Even a conservative policy person, Kevin Hassett, said, "Given the state of the labor market, it is hard to imagine how any sensible person could oppose extending the emergency fund."

Let's see how this Congress votes on this rule. I am supporting this rule because not only have we extended and provided health care for 32 million Americans, we're now addressing the question of jobs, jobs, jobs for America. This bill will help our small businesses, our local municipalities, and the people who have been chronically unemployed. It's time to pass this rule and to pass this bill.

Madam Speaker I rise today in strong support of H. Res. 1205, a rule providing for 4849, "The Small Business and Infrastructure Jobs Tax Act of 2010" a bill that will help to create jobs for Americans.

Last year, through the American Recovery Act of 2009 (stimulus package), Congress threw out a massive lifeline to save Americans who were on the verge of losing their jobs and to create jobs for those who were unemployed. We are constantly getting updates from our leaders in Congress and the Administration, of the positive impact the stimulus

funding is having on our economy. Yet, we know there is still more work to do. This bill will allow us to continue making strides in the right direction towards putting jobs in the hands of Americans.

H.R. 4849 will provide a 100 percent exclusion of small business capital gains. Under current law, Section 1202 provides 50 percent exclusion for gain from the sale of certain small business stock that is held for more than 5 years. The bill would temporarily increase the amount of the exclusion to 100 percent for qualifying stock acquired after March 15, 2010 and before January 1, 2012. The amount of gain eligible for the Section 1202 exclusion is limited to the greater of 10 times the taxpayer's basis in the stock, or \$10 million gain from stock in that small business corporation.

This provision is limited to individual investments and not the investments of a corporation. This provision is estimated to cost \$1.962 billion over the next 10 years. The American Reinvestment and Recovery Act (the "Recovery Act") temporarily increased the Section 1202 exclusion to 75 percent for qualifying stock acquired in 2009 and 2010. Again, this bill would temporarily increase the amount of the exclusion to 100 percent. H. Res. 4849 is a great piece of legislation because it will increase job opportunities for all Americans and allow our citizens to go back to work.

Madam Speaker, through a manager's amendment introduced yesterday at the Rules Committee, TANF Emergency Contingency Fund will be extended for one year. This was a key CBC provision throughout our jobs advocacy. The provision provides \$2.5 billion in TANF-ECF, which the my CBC colleagues and I advocated to Ways & Means, House, and Senate leadership.

This amendment would also help those who are most vulnerable and who need our hope the most by extending the TANF Emergency Contingency Fund for one year. This Fund was established by the Recovery Act and is expiring on September 30th and currently assists States in providing assistance to needy families and in establishing or expanding subsidized jobs programs.

We need to put jobs in the hands of Americans. As a Representative of Houston, I am particularly concerned that the unemployment rates have been increasing instead of decreasing; unemployment in the Houston-Sugar Land-Baytown region climbed to 5.4 percent in October of 2009, according to a recent report from the Texas Workforce Commission (TWC). There were 152,300 people without jobs during the month out of a total civilian labor force of about 2.8 million, compared with 144,200 people, or 5.1 percent, unemployed out of a civilian labor force of 2.8 million in September of 2009, according to the TWC. The unemployment rate in October was up from 4 percent a year ago. I know that the people of the 18th Congressional District of Texas will be greatly affected by this bill and begin to receive more employment opportunities.

Madam Speaker, getting all Americans back to work is, and should be our number one priority. It is essential that the Congress continue to create avenues that will provide employers with incentives to hire and retain new employees.

Madam Speaker, I ask my colleagues to join me in supporting H. Res. 1205.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I reserve the balance of my time.

Mr. CARDOZA. At this time I would like to yield 2 minutes to the distinguished gentleman from New York (Mr. RANGEL).

Mr. RANGEL. I thank the gentleman from California.

I rise in support of this rule because it will give the American people an opportunity to ease some of the pain that's been caused to millions of people because of this recession. Having a job means more than just the income and coverage of health insurance. It means the dignity and the pride in knowing that you're taking care of your family, being able to pay your mortgage, your rent, the kids' tuition for school. And this type of legislation that the Ways and Means Committee was able to put together provides incentives for people to invest in small businesses, where 80 percent, of course, of our jobs are created. It allows for recovery bonds and TANF, Build American Bonds, to be able to allow mayors and Governors to invest in infrastructure and to determine just where the work is needed. This is a dignity that really is a quality that caused America to be as great as she is.

Putting America back to work is what the majority is all about. I cannot perceive that we cannot have bipartisan support on those issues that really build a better America—a healthy America, an educated America, and a working America. That is how we will maintain our competitive edge throughout the world. And we have to do this not just as Democrats, but we have to do this in a bipartisan way. The Governors want this, the mayors want this, and our communities demand it.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I would like to inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from California has 9½ minutes. The gentleman from Florida has 6½ minutes.

Mr. CARDOZA. Thank you, Madam Speaker.

At this time I would like to yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Committee on Ways and Means.

Mr. DOGGETT. For 8 years, our Republican colleagues told us that we could borrow our way to greatness. They told us that their tax cuts would pay for themselves. And then, after they drove our country into an economic ditch, some of their own economic experts indicated that, in fact, none of those tax cuts had paid for themselves. They had only driven us deeper into debt. And then as the gentleman from California (Mr. CARDOZA) has ably explained, we came forward with a number of proposals that were designed to try to get our economy moving again. And they have worked.



But we also came forward with a commitment to fiscal responsibility that we would pay as we go. And that is precisely what we have just done this past Sunday with the approval of the health care legislation. Not only paid for it, but adopted a proposal that would actually result in many billions of dollars—over a trillion dollars in the second decade—of deficit reduction as a result of our plan.

That brings us to today. Recognizing that small business is the economic engine of our country, we come forward with some specific proposals designed to encourage more economic growth. But we don't do it the old-fashioned Republican way of borrowing all the money. We pay for every dime in this bill. And therein lies their complaint. They always like the benefits that go out; they just don't want to pay for any of them. And so they've come forward today and their principal complaint is a provision in this bill that I authored that deals with tax treaty shopping. Who does that affect? It doesn't affect any company that has its principal headquarters in the United States of America, an American company. It doesn't affect any foreign corporation that has a subsidiary here if they are in one of the many jurisdictions around the world that have a tax treaty—a tax treaty designed to protect American companies from being double-taxed. It doesn't affect them. Even China has a tax treaty. In fact, over 90 percent of the foreign investment in this country comes from companies headquartered in tax treaty countries.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CARDOZA. I yield the gentleman an additional 30 seconds.

Mr. DOGGETT. The only people that it affects are those who have chosen to go to non-tax-treaty countries, mainly tax havens—people that have avoided paying their fair share and are foreign-owned corporations. And those foreign-owned corporations and tax havens now have a voice, in addition to their lobbyists in this Congress, and it's the Republican Party. They are defending those foreign companies that have not paid their fair share and will not approve using resources drawn from them that they have not paid fairly in order to support our small American businesses.

I urge approval of the rule and rejection of the argument that these foreign businesses ought not to have to play by the same rules as American companies.

Mr. LINCOLN DIAZ-BALART. Madam Speaker, what I attempted to point out is that we disagree. When foreign companies hire workers in the United States, we disagree with raising their taxes. We think it's a good idea for foreign companies to be encouraged to hire workers in the United States, and what this bill is doing is exactly the opposite.

I would reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I would say in response to the gentleman from Florida, we welcome investment in this country. We welcome it with a treaty. We welcome it when they pay our taxes and don't try and cheat American workers.

Madam Speaker, I would like to at this time yield 3 minutes to the gentleman from California (Ms. LEE).

Ms. LEE of California. I want to thank my colleague, the gentleman from California, for yielding and for his tremendous leadership on this bill.

I rise in support of the rule and, of course, the bill, H.R. 4849, the Small Business and Infrastructure Jobs Tax Act of 2010. I want to especially thank Speaker PELOSI, Chairman LEVIN, Chairman RANGEL, Chairman MCDERMOTT, and the staff of the Ways and Means Committee, and our staff, for working with my colleagues in the Congressional Black Caucus to ensure that this legislation targets those hardest hit by the recession.

The members of the Congressional Black Caucus have been laser-focused on stimulating our economy and creating jobs, especially for the chronically unemployed. As my colleagues know, we are in the midst of a 5-week campaign launched at the beginning of this month to seek policy solutions for the chronically unemployed. We are working together with President Obama, Speaker PELOSI, Senate Majority Leader REID, and all of our leadership and Members of Congress and our coalition partners on a strategy to put America back to work.

One of the key components of our proposed jobs package was to seek an extension of TANF emergency contingency funds for 1 year with an appropriation of \$2.5 billion. This valuable program was originally authorized in the American Recovery and Relief Act for a total of \$5 billion to help fund certain targeted categories of TANF-related expenditures, including basic assistance, nonrecurrent short-term benefits, and subsidized employment. Put simply, the TANF emergency contingency fund allows States to leverage Federal dollars to subsidize private company wages by providing States with an 80 percent reimbursement rate for their increased TANF expenditures in these categories.

Back in December, we communicated with President Obama and our Speaker and raised the importance of extending the TANF emergency contingency fund, among other priorities. Earlier this month, Chairman MCDERMOTT also held a hearing on TANF within his subcommittee and highlighted the importance of extending the emergency contingency fund. This was another important moment that reinforced the Congressional Black Caucus' call for an extension and helped generate the momentum we needed to move this important provision forward.

I was also pleased to have had the opportunity to be before the Rules Committee yesterday and testify with

Chairman LEVIN in support of the manager's amendment and the TANF extension. In addition to the extension, the manager's amendment also allows TANF money to be used for subsidized jobs for people who have run out of unemployment insurance benefits. Ultimately, the TANF emergency contingency fund will create jobs by helping businesses hire, manage, and train new employees by paying part of wages and costs.

□ 1400

As the Chair of the Congressional Black Caucus, I am pleased that we could move this critical bill forward. Taken together, this provision and the bill overall is another important step towards spurring economic growth and creating jobs, particularly for the chronically unemployed. Business tax cuts alone won't work.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CARDOZA. I yield the gentlewoman an additional 15 seconds.

Ms. LEE of California. Thank you very much. The Congressional Black Caucus has a very sustained and focused effort to create jobs and economic opportunities, and this is but one step forward in our efforts.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I think it's important to keep in mind the seriousness of the fiscal situation the Nation is facing. For the current fiscal year, President Obama submitted a \$3.6 trillion budget. Remember, a trillion is a million millions. That's a lot of money, a \$3.6 trillion budget. But our revenues, the revenues of the Federal Government, total \$2.4 trillion. For the following fiscal year, the President submitted a \$3.8 trillion budget, but our revenues, the Federal Government's revenues, are \$2.6 trillion. That situation is not sustainable. That's why we are facing a situation that was alluded to earlier by Mr. DREIER, that our AAA bond rating is at risk already.

Obviously there are few issues that are more serious than the ones we are discussing today. Madam Speaker, I will be asking for a "no" vote on the previous question so that we can amend this rule and allow a vote on Ranking Member CAMP's substitute amendment to the bill. The Camp substitute would provide a meaningful tax benefit for small businesses that would, unlike the majority's bill, create new jobs. Small businesses employ about half of all private sector jobs, and they have created nearly 80 percent of the new jobs in the Nation in recent years. They are the engine of economic growth and job creation in the Nation, and they must be the key to our economic recovery.

It's unfortunate that the majority of the Rules Committee blocked Mr. CAMP, despite the tradition of allowing on Ways and Means bills a substitute amendment. The Rules Committee blocked Mr. CAMP from offering his amendment. Obviously there are always exceptions to tradition, to precedence. In this case, the exception is

this majority, a majority that continually blocks Members from both parties from offering amendments to all legislation.

I urge my colleagues to return to regular order and allow Mr. CAMP to offer his substitute amendment, and to vote "no" on the previous question now so that we can have a full and open debate on the minority's substitute.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I yield back the balance of my time.

Mr. CARDOZA. Madam Speaker, I am proud today to stand here advocating for a stimulative tax cut to small business that is not only going to be good for the economy but is paid for and reduces the national debt. Madam Speaker, the bottom line is that this commonsense legislation will invest in infrastructure. It will invest in our budding entrepreneurs. It will help get countless unemployed Americans back on the job, back on company payrolls, and continue to give a much-needed jolt to the American economy. I urge my colleagues on both sides of the aisle to support this American jobs bill on the floor today. I urge a "yes" vote on the rule and on the previous question.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1205 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4849) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes. All points of order against the bill and against its consideration are waived except those arising under clauses 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; (2) the amendment in section 2 of this resolution if offered by Representative Camp of Michigan or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. The amendment referred to in section 1 is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. DEDUCTION FOR QUALIFIED SMALL BUSINESS INCOME.**

(a) IN GENERAL.—Paragraph (1) of section 199(a) of the Internal Revenue Code of 1986 is amended to read as follows:

"(1) IN GENERAL.—There shall be allowed as a deduction an amount equal to the sum of—

"(A) 9 percent of the lesser of—

"(i) the qualified production activities income of the taxpayer for the taxable year, or

"(ii) taxable income (determined without regard to this section) for the taxable year, and

"(B) in the case of a qualified small business for a taxable year beginning in 2010 or 2011, \_\_\_\_\_ percent of the lesser of—

"(i) the qualified small business income of the taxpayer for the taxable year, or

"(ii) taxable income (determined without regard to this section) for the taxable year."

(b) QUALIFIED SMALL BUSINESS; QUALIFIED SMALL BUSINESS INCOME.—Section 199 of such Code is amended by adding at the end the following new subsection:

"(e) QUALIFIED SMALL BUSINESS; QUALIFIED SMALL BUSINESS INCOME.—

"(1) QUALIFIED SMALL BUSINESS.—

"(A) IN GENERAL.—For purposes of this section, the term 'qualified small business' means any taxpayer for any taxable year if the annual average number of employees employed by such taxpayer during such taxable year was 500 or fewer.

"(B) AGGREGATION RULE.—For purposes of subparagraph (A), any person treated as a single employer under subsection (a) or (b) of section 52 (applied without regard to section 1563(b)) or subsection (m) or (o) of section 414 shall be treated as 1 taxpayer for purposes of this subsection.

"(C) SPECIAL RULE.—If a taxpayer is treated as a qualified small business for any taxable year, the taxpayer shall not fail to be treated as a qualified small business for any subsequent taxable year solely because the number of employees employed by such taxpayer during such subsequent taxable year exceeds 500. The preceding sentence shall cease to apply to such taxpayer in the first taxable year in which there is an ownership change (as defined by section 382(g) in respect of a corporation, or by applying principles analogous to such ownership change in the case of a taxpayer that is a partnership) with respect to the stock (or partnership interests) of the taxpayer.

"(2) QUALIFIED SMALL BUSINESS INCOME.—

"(A) IN GENERAL.—For purposes of this section, the term 'qualified small business income' means the excess of—

"(i) the income of the qualified small business which—

"(I) is attributable to the actual conduct of a trade or business,

"(II) is income from sources within the United States (within the meaning of section 861), and

"(III) is not passive income (as defined in section 904(d)(2)(B)), over

"(ii) the sum of—

"(I) the cost of goods sold that are allocable to such income, and

"(II) other expenses, losses, or deductions (other than the deduction allowed under this section), which are properly allocable to such income.

"(B) EXCEPTIONS.—The following shall not be treated as income of a qualified small business for purposes of subparagraph (A):

"(i) Any income which is attributable to any property described in section 1400N(p)(3).

"(ii) Any income which is attributable to the ownership or management of any professional sports team.

"(iii) Any income which is attributable to a trade or business described in subparagraph (B) of section 1202(e)(3).

"(iv) Any income which is attributable to any property with respect to which records are required to be maintained under section 2257 of title 18, United States Code.

"(C) ALLOCATION RULES, ETC.—Rules similar to the rules of paragraphs (2), (3), (4)(D), and (7) of subsection (c) shall apply for purposes of this paragraph.

"(3) SPECIAL RULES.—Except as otherwise provided by the Secretary, rules similar to the rules of subsection (d) shall apply for purposes of this subsection."

(c) CONFORMING AMENDMENT.—Section 199(a)(2) of such Code is amended by striking "paragraph (1)" and inserting "paragraph (1)(A)".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

**SEC. 2. EXCLUSION OF UNPROCESSED FUELS FROM THE CELLULOSIC BIOFUEL PRODUCER CREDIT.**

(a) IN GENERAL.—Subparagraph (E) of section 40(b)(6) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

"(iii) EXCLUSION OF UNPROCESSED FUELS.—The term 'cellulosic biofuel' shall not include any fuel if—

"(I) more than 4 percent of such fuel (determined by weight) is any combination of water and sediment, or

"(II) the ash content of such fuel is more than 1 percent (determined by weight)."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used on or after January 1, 2010.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

**THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS**

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they

have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. CARDOZA. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 1205 will be followed by 5-minute votes on adoption of House Resolution 1205 and on suspending the rules and passing House Joint Resolution 80, if ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 179, not voting 10, as follows:

[Roll No. 172]

YEAS—240

Ackerman	Brown, Corrine	Cuellar
Adler (NJ)	Butterfield	Cummings
Altmire	Capps	Dahlkemper
Andrews	Capuano	Davis (CA)
Arcuri	Cardoza	Davis (IL)
Baca	Carnahan	DeFazio
Baird	Carney	DeGette
Baldwin	Carson (IN)	Delahunt
Barrow	Castor (FL)	DeLauro
Bean	Chandler	Dingell
Becerra	Childers	Doggett
Berkley	Chu	Donnelly (IN)
Berman	Clarke	Doyle
Berry	Clay	Driehaus
Bishop (GA)	Cleaver	Edwards (MD)
Bishop (NY)	Clyburn	Edwards (TX)
Blumenauer	Cohen	Ellison
Boren	Connolly (VA)	Ellsworth
Boswell	Conyers	Engel
Boucher	Cooper	Eshoo
Boyd	Costa	Etheridge
Brady (PA)	Costello	Farr
Braley (IA)	Courtney	Fattah
Bright	Crowley	Filner

Foster	Lowey
Frank (MA)	Lujan
Fudge	Lynch
Garamendi	Maffei
Giffords	Maloney
Gonzalez	Markey (CO)
Gordon (TN)	Markey (MA)
Grayson	Marshall
Green, Al	Matheson
Green, Gene	Matsui
Grijalva	McCarthy (NY)
Gutierrez	McCollum
Hall (NY)	McDermott
Halvorson	McGovern
Hare	McIntyre
Harman	McMahon
Hastings (FL)	McNerney
Heinrich	Meek (FL)
Herseth Sandlin	Meeks (NY)
Higgins	Melancon
Himes	Michaud
Hinchee	Miller (NC)
Hinojosa	Miller, George
Hirono	Mollohan
Hodes	Moore (WI)
Holden	Moran (VA)
Holt	Murphy (CT)
Honda	Murphy (NY)
Hoyer	Murphy, Patrick
Inslee	Nadler (NY)
Israel	Napolitano
Jackson (IL)	Neal (MA)
Jackson Lee	Oberstar
(TX)	Obey
Johnson (GA)	Olver
Johnson, E. B.	Ortiz
Kagen	Owens
Kanjorski	Pallone
Kaptur	Pascarella
Kildee	Pastor (AZ)
Kilroy	Payne
Kind	Perlmutter
Kirkpatrick (AZ)	Perriello
Kissell	Peters
Klein (FL)	Peterson
Kosmas	Pingree (ME)
Kratovil	Polis (CO)
Kucinich	Pomeroy
Langevin	Price (NC)
Larsen (WA)	Quigley
Larson (CT)	Rahall
Lee (CA)	Rangel
Levin	Reyes
Lewis (GA)	Richardson
Lipinski	Rodriguez
Loeb sack	Ross
Lofgren, Zoe	Rothman (NJ)

NAYS—179

Aderholt	Coffman (CO)	Issa
Akin	Cole	Jenkins
Alexander	Conaway	Johnson (IL)
Austria	Crenshaw	Johnson, Sam
Bachmann	Culberson	Jones
Bachus	Davis (KY)	Jordan (OH)
Barrett (SC)	Dent	King (IA)
Bartlett	Diaz-Balart, L.	King (NY)
Barton (TX)	Diaz-Balart, M.	Kingston
Biggert	Dreier	Kirk
Bilbray	Duncan	Kline (MN)
Bilirakis	Ehlers	Lamborn
Bishop (UT)	Emerson	Lance
Blackburn	Fallin	Latham
Blunt	Flake	LaTourette
Boehner	Fleming	Latta
Bonner	Forbes	Lee (NY)
Bono Mack	Fortenberry	Lewis (CA)
Boozman	Fox	Linder
Boustany	Franks (AZ)	LoBiondo
Brady (TX)	Frelinghuysen	Lucas
Broun (GA)	Gallegly	Luetkemeyer
Brown (SC)	Garrett (NJ)	Lummis
Brown-Waite,	Gerlach	Lungren, Daniel
Ginny	Gingrey (GA)	E.
Buchanan	Gohmert	Mack
Burgess	Goodlatte	Manzullo
Burton (IN)	Granger	Marchant
Buyer	Graves	McCarthy (CA)
Calvert	Griffith	McCaul
Camp	Guthrie	McClintock
Campbell	Hall (TX)	McCotter
Cantor	Harper	McHenry
Cao	Hastings (WA)	McKeon
Capito	Heller	McMorris
Carter	Hensarling	Rodgers
Cassidy	Herger	Mica
Castle	Hill	Miller (FL)
Chaffetz	Hunter	Miller (MI)
Coble	Inglis	Miller, Gary

Minnick	Reichert	Smith (NJ)
Mitchell	Roe (TN)	Smith (TX)
Moran (KS)	Rogers (AL)	Souder
Murphy, Tim	Rogers (KY)	Stearns
Myrick	Rogers (MI)	Sullivan
Neugebauer	Rohrabacher	Taylor
Nunes	Rooney	Terry
Nye	Ros-Lehtinen	Thompson (PA)
Olson	Roskam	Thornberry
Paul	Royce	Tiberi
Paulsen	Ryan (WI)	Turner
Pence	Scalise	Upton
Petri	Schmidt	Walden
Pitts	Schock	Westmoreland
Platts	Sensenbrenner	Whitfield
Poe (TX)	Sessions	Wilson (SC)
Posey	Shadegg	Wittman
Price (GA)	Shimkus	Wolf
Putnam	Shuster	Young (AK)
Radanovich	Simpson	Young (FL)
Rehberg	Smith (NE)	

NOT VOTING—10

Bocchieri	Hoekstra	Tiahrt
Davis (AL)	Kennedy	Wamp
Davis (TN)	Kilpatrick (MI)	
Dicks	Moore (KS)	

□ 1435

Messrs. WITTMAN, PLATTS and SIMPSON changed their vote from "yea" to "nay."

Mr. NADLER of New York changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BOCCIERI. Mr. Speaker, on rollcall No. 172, I was unavoidably detained. Had I been present, I would've voted "aye."

The SPEAKER pro tempore (Mr. CUMMINGS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 187, not voting 9, as follows:

[Roll No. 173]

YEAS—233

Ackerman	Chandler	Ellison
Altmire	Childers	Engel
Andrews	Chu	Eshoo
Arcuri	Clarke	Etheridge
Baca	Clay	Farr
Baird	Cleaver	Fattah
Baldwin	Clyburn	Filner
Barrow	Cohen	Foster
Bean	Connolly (VA)	Frank (MA)
Becerra	Conyers	Fudge
Berkley	Cooper	Garamendi
Berman	Costa	Giffords
Berry	Costello	Gonzalez
Bishop (GA)	Courtney	Gordon (TN)
Bishop (NY)	Crowley	Grayson
Blumenauer	Cuellar	Green, Al
Bocchieri	Cummings	Green, Gene
Boren	Dahlkemper	Grijalva
Boswell	Davis (CA)	Gutierrez
Boucher	Davis (IL)	Hall (NY)
Boyd	DeFazio	Hare
Brady (PA)	DeGette	Harman
Braley (IA)	Delahunt	Hastings (FL)
Brown, Corrine	DeLauro	Heinrich
Butterfield	Dicks	Higgins
Capps	Dingell	Himes
Capuano	Doggett	Hinchee
Cardoza	Donnelly (IN)	Hinojosa
Carnahan	Doyle	Hirono
Carney	Driehaus	Hodes
Carson (IN)	Edwards (MD)	Holden
Castor (FL)	Edwards (TX)	Holt

Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kagen  
Kanjorski  
Kaptur  
Kildee  
Kilroy  
Kind  
Kissell  
Klein (FL)  
Kosmas  
Kratovil  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Luján  
Lynch  
Maffei  
Maloney  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McMahon  
McNerney  
Meek (FL)  
Meeks (NY)

Melancon  
Michaud  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Perlmutter  
Perriello  
Peters  
Peterson  
Pingree (ME)  
Polis (CO)  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Reyes  
Richardson  
Rodriguez  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky

Schauer  
Schiff  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Sires  
Skeltan  
Slaughter  
Smith (WA)  
Snyder  
Space  
Speier  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

## NAYS—187

Aderholt  
Adler (NJ)  
Akin  
Alexander  
Austria  
Bachmann  
Bachus  
Barrett (SC)  
Bartlett  
Barton (TX)  
Biggart  
Bilbray  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boustany  
Brady (TX)  
Bright  
Broun (GA)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Camp  
Campbell  
Cantor  
Cao  
Capito  
Carter  
Cassidy  
Castle  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Crenshaw  
Culberson  
Davis (KY)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.

Dreier  
Duncan  
Ehlers  
Ellsworth  
Emerson  
Fallin  
Flake  
Fleming  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gingrey (GA)  
Gohmert  
Goodlatte  
Granger  
Graves  
Griffith  
Guthrie  
Hall (TX)  
Halvorson  
Harper  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Hill  
Hunter  
Inglis  
Issa  
Jenkins  
Johnson (IL)  
Johnson, Sam  
Jones  
Jordan (OH)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kline (MN)  
Lamborn  
Lance  
Latham  
LaTourette

Latta  
Lee (NY)  
Lewis (CA)  
Linder  
LoBiondo  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Minnick  
Mitchell  
Moran (KS)  
Murphy (NY)  
Murphy, Tim  
Myrick  
Neugebauer  
Nunes  
Nye  
Olson  
Paul  
Paulsen  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Putnam  
Quigley  
Radanovich  
Rehberg  
Reichert  
Roe (TN)

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Schock  
Sensenbrenner  
Sessions

Shadegg  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souders  
Stearns  
Sullivan  
Taylor  
Terry  
Thompson (PA)

Thornberry  
Tiberi  
Turner  
Upton  
Walden  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Young (AK)  
Young (FL)

## NOT VOTING—9

Bilirakis  
Davis (AL)  
Davis (TN)

Hoekstra  
Kennedy  
Kilpatrick (MI)

Lowe  
Tiahrt  
Wamp

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1443

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## RECOGNIZING THE 65TH ANNIVERSARY OF THE BLINDED VETERANS ASSOCIATION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the joint resolution, H.J. Res. 80.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the joint resolution, H.J. Res. 80.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

## RECORDED VOTE

Mrs. HALVORSON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 0, not voting 13, as follows:

[Roll No. 174]

## AYES—416

Ackerman  
Aderholt  
Bilbray  
Bilirakis  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachmann  
Bachus  
Baird  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry

Biggart  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Bocciari  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Bright

Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp  
Campbell  
Cantor  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter

Cassidy  
Castle  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Filner  
Flake  
Fleming  
Forbes  
Foster  
Foxy  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill

Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kildee  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowe  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (MI)  
Miller (NC)

Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Oberstar  
Obey  
Olson  
Oliver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson

Sires	Terry	Wasserman
Skelton	Thompson (CA)	Schultz
Smith (NE)	Thompson (MS)	Waters
Smith (NJ)	Thompson (PA)	Watson
Smith (TX)	Thornberry	Watt
Smith (WA)	Tiberi	Waxman
Snyder	Tierney	Weiner
Souder	Titus	Welch
Space	Tonko	Westmoreland
Speier	Towns	Whitfield
Spratt	Tsongas	Wilson (OH)
Stark	Turner	Wilson (SC)
Stearns	Upton	Wittman
Stupak	Van Hollen	Wolf
Sullivan	Velázquez	Woolsey
Sutton	Visclosky	Wu
Tanner	Walden	Yarmuth
Taylor	Walz	Young (AK)
Teague		Young (FL)

## NOT VOTING—13

Davis (AL)	Frank (MA)	Slaughter
Davis (TN)	Hoekstra	Tiahrt
Ellison	Kennedy	Wamp
Fattah	Kilpatrick (MI)	
Fortenberry	Miller (FL)	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remaining in the vote.

□ 1450

So (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## NATIONAL DISTRACTED DRIVING AWARENESS MONTH

Ms. MARKEY of Colorado. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1186) expressing support for designation of April as National Distracted Driving Awareness Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

## H. RES. 1186

Whereas 9-year-old Erica Forney of Fort Collins, Colorado, was struck and killed by a distracted driver in 2008;

Whereas there were more than 276,000,000 wireless cell phone subscribers in the United States as of June 2009, an increase of 42 percent from 194,000,000 in June 2005, and nearly 3 times more than the 97,000,000 wireless subscribers in June 2000;

Whereas over 600,000,000,000 text messages were sent in 2008, nearly 4 times the number sent in 2006;

Whereas according to the recent National Motor Vehicle Crash Causation Survey, 80 percent of all traffic incidents and 65 percent of all near-crashes involve some type of distraction;

Whereas according to data from the Fatality Analysis Reporting System (FARS), driver distraction was reported to have been involved in 16 percent of all fatal crashes in 2008, which is an increase from 12 percent in 2004;

Whereas the Secretary of Transportation held a Distracted Driving Summit in September 2009; and

Whereas April would be an appropriate month to designate as National Distracted Driving Awareness Month: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the designation of Distracted Driving Awareness Month;

(2) encourages all people in the United States to consider the lives of others on the road and avoid distracted driving; and

(3) respectfully requests the Clerk of the House to transmit a copy of this resolution to FocusDriven, an advocacy group for victims of motor vehicle crashes involving drivers using cell phones.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Ms. MARKEY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado.

## GENERAL LEAVE

Ms. MARKEY of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on House Resolution 1186.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

Ms. MARKEY of Colorado. Mr. Speaker, I yield myself such time as I consume.

Mr. Speaker, I rise today to raise awareness about a deadly trend in our Nation, distracted driving. Eighty percent of all crashes involve some sort of distraction, and in 2008, nearly 6,000 people lost their lives in accidents involving a distracted behavior.

One of those 6,000 was Erica Forney of Fort Collins, Colorado. Nine-year-old Erica was riding her bike home from school when she was struck and killed by a large SUV whose driver was on a cell phone. The driver said she never even saw Erica who was a mere 15 pedals away from her home.

The tragic story of Erica's death is all too common, and worse, her story was preventable.

I introduce House Resolution 1186 to raise awareness about the dangers of distracted driving. This resolution will designate April as Distracted Driving Awareness Month. Studies have shown that distracted driving is just as dangerous as driving drunk, and while everyone knows driving drunk is dangerous, far fewer people are aware of the risks of distracted driving. A driver increases the risk of a crash by 2,300 percent if he or she is texting while driving.

Currently, 20 States have enacted texting while driving bans, and I'm proud to say Colorado is one of them.

The Federal Government has also taken a stand against distracted driving. The Department of Transportation introduced federal guidance to prohibit texting by drivers of commercial vehicles. President Obama issued an Executive Order banning texting while driving on official business for federal employees. Last September, Secretary LaHood held a distracted driving summit and celebrated the establishment of Focus Driven, a national nonprofit dedicated to ending this epidemic and for providing support for families who have lost loved ones. After hearing stories of those involved with Focus Driven, even Oprah has urged the public to make their cars a "no phone zone."

I urge all of my colleagues to take the "no phone zone" pledge. The risk that you present to yourself and to others by driving distractedly are not worth it. Please pull over and take a call or send a text message.

I urge a "yes" vote on House Resolution 1186 and ask for the help of my colleagues in ending this epidemic of distracted driving.

I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of House Resolution 1186, a resolution expressing support for designating April as National Distracted Driving Awareness Month, and I would like to commend the gentlewoman from Colorado for introducing this resolution.

This is a growing problem, as she has pointed out. The Transportation Committee held a hearing on distracted driving in October, and the testimony at the hearing proved that there are no shortage of ways a driver can be distracted. And I would like to commend Transportation Secretary LaHood, who has started a nationwide campaign against distracted driving and has made this one of the top priorities of his Department.

During the hearing we held, testimony was presented showing a threefold, or tripling, of the instance of accidents if the driver is holding a handheld cell phone, and a 23-fold increase in the odds of getting in an accident if a driver is texting. According to the National Highway Traffic Safety Administration, as the gentlewoman from Colorado mentioned, 6,000 people die each year in crashes involving a distracted or inattentive driver.

I had a personal experience a few months ago of this. I changed several stations on an XM radio as I was driving on an interstate connector in Knoxville, and when I looked up, the truck in front of me had come almost to a stop. I had to slam on my brakes. I slid across three lanes of traffic, spun around back across the three lanes, slammed into the median, and then back again going in a 360-degree circle. Fortunately, with traffic whizzing by me all the time, I didn't hit another vehicle and no one was injured. But it sure caught my attention and gave me a new awareness of the danger of distracted driving.



During the month of April, I hope this resolution reminds all drivers of the harmful consequences of distracted driving, and I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. MARKEY of Colorado. I would like to yield to the gentleman from New York (Mr. ENGEL) as much time as he may consume.

□ 1500

Mr. ENGEL. I thank the gentlewoman for yielding to me and I rise today in strong support of her resolution, H. Res. 1186, to designate April as Distracted Driving Awareness Month.

As Secretary of Transportation Ray LaHood recently said, distracted driving is a deadly epidemic. In its 2009 report on distracted driving, the National Highway Traffic Safety Administration estimated that fully one-quarter of traffic accidents involved distracted driving. These crashes resulted in nearly 6,000 fatalities and over half a million injuries. This is why I so strongly support the gentlewoman, Ms. MARKEY's resolution and why I introduced my own legislation, the Distracted Driving Prevention Act.

Electronic devices have become a ubiquitous part of our daily lives. Many of us use BlackBerries, cell phones, and pagers daily, but it's obvious to anybody who has used those devices that a person becomes very distracted while using them. The growing practice of individuals texting or reading emails while driving puts everyone on the road at risk.

My legislation would provide money for driver education and highway signage, both of which have helped reduce the incidence of driving under the influence or driving without a seat belt, according to the U.S. Department of Transportation, so it will work with distracted driving as well. In addition, it would create a national advertising campaign, administered by the National Highway Traffic Safety Administration, to educate the public on the dangers of distracted driving.

Mr. Speaker, we all know how important it is to end the deadly practice of distracted driving, and I urge my colleagues to support this resolution and work towards an end to this epidemic. If we are really going to be true to ourselves, it's really logical to understand—anybody who drives understands this—that if they are distracted using a cell phone or if they are distracted texting, they cannot be at 100 percent in terms of safety. And so that's why Ms. MARKEY's resolution is so important, and that's why I hope that my legislation, as well, gets passed and signed into law.

Mr. DUNCAN. Mr. Speaker, the half million figure that the gentleman from New York just mentioned is accurate as far as people now, but it's probably a conservative figure, because that's just what the police know about. There are probably a great many other accidents and injuries that are caused by

distracted drivers that the police don't recognize, but that is the accepted figure. It's an astounding figure.

I have no other speakers and I urge all my colleagues to support this resolution.

I yield back the balance of my time. Ms. MARKEY of Colorado. I yield to the gentleman from Minnesota for as much time as he may consume.

Mr. OBERSTAR. I thank the gentlewoman for yielding, and I appreciate very much her personal story. It was a very, very compelling story of a child in not only her district, her hometown.

It was very touching for me, Mr. Speaker, because my youngest daughter lives in Fort Collins with her husband and 3-year-old, Cali Jo. Monica bikes in the neighborhoods where she lives at Fort Collins with a child carrier, and I thought of that tragic accident and I thought of Monica, and I thought of her little Cali and how it could well have been them, could well have been this 3-year-old child.

The distinguished gentleman from Tennessee, former chairman of the Aviation Committee and Chair of the Surface Transportation Subcommittee, and the gentleman has been very candid, very touching in the story that he related of his own shocking and deeply troubling experience, that's not to say, scary. Your life just sort of spins out of control at a certain moment when a tragic event of this kind occurs.

These are all reminders, very graphic reminders that we are not talking about an abstraction, not talking about some possibility that might happen to someone else but I don't have to worry. Yes, we do. We all have to worry.

We all can remember a time—when I started up here as a clerk of the Subcommittee on Rivers and Harbors, we had dial telephones. The idea of a cell phone was something written up in Dick Tracy, in the cartoon strip, and Diet Smith. But Diet Smith is with us today.

There are 276 million of these devices in our midst, 276 million cell phones, BlackBerries, smartphones, wireless call phone subscribers; 600 billion text messages sent last year in the United States, just in the United States alone. It's hard to walk down a street and not count one out of every three people or maybe even more with a cell phone on their ear, looking at a BlackBerry in their hand. I have seen people run into telephone poles looking at these things. Then what happens when they are driving?

There are lots of reasons for distracted driving: eating, drinking, talking to passengers, singing songs, looking at a map. I have seen people with a newspaper on their steering wheel driving down, to be sure, in congested traffic, but they ought to be paying attention to the traffic and not to the newspaper. Worst is the cell phone; it's an extraordinary distraction.

And what we know is that 80 percent of traffic incidents, two-thirds of all

the near misses on the roadways, are due to distracted driving; 6,000 fatalities a year. It's not just in the United States.

Two years ago, I met with the 27 Ministers of the European Transportation Ministry. We talked about a wide range of issues. I discussed with them what we were planning on surface transportation, in our committee, and water resources needs, but the one thing they all wanted to talk about was distracted driving.

It's a serious problem in the 520 million population of the 27 members of the European Union such that the Transport Ministry and the European Parliament Committee on Transportation have enacted legislation prohibiting the use of cell phones and BlackBerries while driving.

In Portugal, the Minister of Transportation told me it is a crime. They have made it a crime to use a cell phone while driving; it is that serious an issue, that serious a threat to life and limb.

As we discuss this legislation today, as we voted unanimously in our committee to report this bill out, let us remember 9-year-old Erica Forney. Let us remember Mr. DUNCAN and his life-saving experience. Let us remember the other thousands who are killed annually by people who just aren't paying attention, who are seriously distracted and whose lives we can save as we pass this bill.

Let us also thank our Secretary of Transportation, Ray LaHood, for taking the initiative, having the courage to stand up, call a national conference on distracted driving, and then issue a directive to the Department and use the authority that he has to limit within or prohibit within the Department and set an example for all of our fellow citizens on distracted driving.

But as we do this, let us remember that the lives we save will, unlike other things we do, never be able to say thank you. They don't know that we, this day, passed legislation that will move America in the direction of a much safer roadway, a much safer driving experience for all of our fellow citizens. Let us keep the Erica Forneys in our minds and in our hearts as we pass this legislation.

Ms. MARKEY of Colorado. I would like to thank the gentleman from Minnesota and the chairman of the Transportation and Infrastructure Committee for his very eloquent statement on behalf of this resolution. I also want to thank my colleague from Tennessee (Mr. DUNCAN) for sharing your very personal story of the impact of distracted driving.

If we just save one life or prevent one accident with this resolution to raise awareness for distracted driving, we will have been successful. So, again, this is to remember those who have lost their lives because of a distracted driver on their cell phone or texting and, again, to raise awareness so that we can prevent future accidents like

Erica Forney from Fort Collins, Colorado.

Mr. OBERSTAR. Mr. Speaker, I rise today in strong support of H. Res. 1186, offered by the gentlewoman from Colorado (Ms. MARKEY), expressing support for the designation of April as National Distracted Driving Awareness Month. I thank the gentlewoman for her leadership on this important highway safety issue.

Last October, the Committee on Transportation and Infrastructure held a hearing to examine the issue of distracted driving, and the risks it poses to the traveling public. Research has highlighted the dangers of distracted driving. According to the Department of Transportation (DOT), 80 percent of traffic incidents and 65 percent of near-misses are as a result of distracted driving. More troubling still are the nearly 6,000 fatalities annually that occur as a result of distracted driving, according to DOT estimates.

Distracted driving can occur in three different forms—visual, manual, or cognitive. Distraction stems from a variety of activities, such as eating or drinking, talking to other passengers, looking at a map, or changing the radio station. Although all distractions are dangerous, in recent years, the problem of electronic devices has become particularly troubling, as it can encompass all three types of distraction—visual, manual, and cognitive.

Cell phones, Blackberrys, and smart phones have become ubiquitous, with 276 million wireless cell phone subscribers in America as of June 2009, and 600 billion text messages sent in 2008 alone. Although these devices have improved communications and the flow of information, their use while driving poses a threat to all users of the surface transportation system.

The gentlewoman from Colorado has seen firsthand the tragic impacts of this in her Congressional district. In November 2008, nine-year old Erica Forney was riding her bike home from school when a driver, distracted by a conversation on her cell phone, struck Erica. On Thanksgiving Day, after two days of hospitalization, Erica passed away. Sadly, stories like Erica's are played out across America every day, and are completely preventable.

To substantially reduce the annual number of highway fatalities, we must take a hard look at distracted driving, especially distractions that come from electronic devices. Last September, Secretary of Transportation Ray LaHood hosted a summit on distracted driving, and acted swiftly to ban texting while driving for commercial vehicle operators. I applaud the Secretary's efforts, and look forward to working with him to improve safety on the nation's transportation network.

Addressing this problem will require commitment from all Americans to focus on the road while they are driving. Just as the efforts of the safety community have helped to stigmatize drunk driving, we need to make it clear that texting and using a cell phone while driving are unsafe and socially unacceptable. Too often, the need to be in constant communication leads us to forget that, without our full attention, driving is a high-risk activity.

By designating April as National Distracted Driving Awareness Month, we can raise awareness of this growing problem, and encourage Americans to think twice before picking up a cell phone or texting while driving.

I urge my colleagues to join me in supporting H. Res. 1186.

Ms. MARKEY of Colorado. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LUJÁN). The question is on the motion offered by the gentlewoman from Colorado (Ms. MARKEY) that the House suspend the rules and agree to the resolution, H. Res. 1186.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. MARKEY of Colorado. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### NATIONAL PUBLIC WORKS WEEK

Mr. PERRIELLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1125) supporting the goals and ideals of National Public Works Week, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1125

Whereas public works infrastructure, facilities, and services have far-reaching effects on the United States economy and the competitiveness of the United States in the world marketplace;

Whereas public works infrastructure, facilities, and services play a pivotal role in the health, safety, and quality of life of communities throughout the United States;

Whereas public works infrastructure, facilities, and services could not be provided without the skill and dedication of public works professionals, including engineers and administrators, representing State and local governments throughout the United States;

Whereas public works professionals design, build, operate, maintain, and protect the transportation systems, water supply infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the citizens, communities, and commerce of the United States;

Whereas the Corps of Engineers, in partnership with public port authorities, provides navigational improvements that link United States producers and customers with national and international markets;

Whereas the public waterways, including locks and dams constructed, operated, and maintained by the Corps of Engineers, provide a safe, energy-efficient, and cost-effective means of transporting goods and services;

Whereas the Corps of Engineers, in partnership with local public entities, provides levees, reservoirs, and other structural and nonstructural flood damage reduction measures that protect millions of families, homes, and businesses;

Whereas a recent analysis of the state of the infrastructure of the United States garnered an overall grade of "D";

Whereas every \$1 invested in public transportation generates as much as \$6 in economic returns to the economy of the United States;

Whereas the public transportation systems of the United States experienced record ridership levels in 2008, the last full year for which data are available, with 10,680,000,000 passenger trips taken;

Whereas, in the "2008 Conditions & Performance" report of the Department of Transportation, the Department confirms that investment in United States highway, bridge, and transit infrastructure has not kept up with growing demands;

Whereas, in the "2008 Conditions & Performance" report of the Department of Transportation, the Department found that an additional \$27,000,000,000 per year in capital investments is needed to sustain highway conditions and performance and an additional \$96,000,000,000 per year in capital investments is needed to make cost-effective highway improvements and eliminate the existing bridge maintenance backlog;

Whereas capital expenditures in highways, bridges, and public transportation from all levels of government and the private sector are over \$91,450,000,000 annually;

Whereas the capital asset program of the General Services Administration is authorized annually to provide Federal employees with necessary office space, courts of law, and other special purpose facilities;

Whereas, since 1972, the United States has invested more than \$300,000,000,000 in wastewater infrastructure facilities to establish a system that includes 16,000 publicly owned wastewater treatment plants, 100,000 major pumping stations, 600,000 miles of sanitary sewers, and 200,000 miles of storm sewers;

Whereas the Pipelines and Hazardous Materials Safety Administration is charged with the safe and secure movement of almost 1,200,000 daily shipments of hazardous materials by all modes of transportation and oversees the safety and security of 2,300,000 miles of gas and hazardous liquid pipelines, which account for 64 percent of the energy commodities consumed in the United States;

Whereas the National Railroad Passenger Corporation annually provides more than 27,100,000 people with intercity rail service;

Whereas the National Surface Transportation Policy and Revenue Study Commission estimates that the total capital cost of reestablishing the national intercity passenger rail network by 2050 is approximately \$357,200,000,000 (or \$8,100,000,000 annually for the next 40 years);

Whereas 21 airfield projects have opened at 18 of the 35 busiest airports in the United States since fiscal year 2000, including 15 runways, 3 taxiways, one runway extension, one completed airfield reconfiguration, and one airfield reconfiguration that is two-thirds completed, and these airfield projects have provided the airports with the potential to accommodate 1,900,000 additional airfield operations each year and decrease average delay per operation by approximately 5 minutes;

Whereas 3 airports have airfield projects under construction, and an additional airport will begin construction this fiscal year, and these 4 airfield projects will provide the airports with the potential to accommodate an additional 110,900 airfield operations each year and decrease average delay per operation by approximately 1.5 minutes;

Whereas transparency and accountability information relating to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) submitted monthly to the Committee on Transportation and Infrastructure demonstrates successful implementation of highway, transit, and wastewater investments under the Act;

Whereas \$31,600,000,000, or 83 percent of the \$38,100,000,000 provided for highway, transit,

and wastewater infrastructure formula programs under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), has been put out to bid on 15,377 projects as of January 31, 2010;

Whereas, across the United States, as a result of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) work has begun on 11,583 projects totaling \$25,000,000,000, or 66 percent of the total available for highway, transit, and wastewater infrastructure formula programs under the Act;

Whereas the 11,583 highway, transit, and wastewater infrastructure projects on which work has begun have created or sustained approximately 330,000 direct jobs as of January 31, 2010;

Whereas total employment from the 11,583 highway, transit, and wastewater infrastructure projects on which work has begun, which includes direct, indirect, and induced jobs, totals more than one million jobs;

Whereas direct job creation from highway, transit, and wastewater infrastructure projects under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) has resulted in payroll expenditures of \$1,700,000,000; and

Whereas public works professionals are observing National Public Works Week from May 16 through 22, 2010: Now, therefore, be it Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Public Works Week;

(2) recognizes and celebrates the 50th anniversary of National Public Works Week; and

(3) urges citizens and communities throughout the United States to join with representatives of the Federal Government in activities and ceremonies that are designed to pay tribute to the public works professionals of the United States and to recognize the substantial contributions that public works professionals make to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. PERRIELLO) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. PERRIELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Res. 1125.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PERRIELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 1125, supporting the goals and ideals of National Public Works Week.

This year, we will celebrate the 50th anniversary of National Public Works Week. During the Great Depression, public works rose to prominence as a means to help stabilize our Nation by putting people to work to create a national infrastructure that benefited all Americans.

Once again, our country faces similar challenges and our public works will help our Nation regain its footing.

Every \$1 we invest in public transportation produces nearly \$6 in return for our economy. These investments include every realm of our infrastructure.

In 2008, over 10 billion trips were taken on our public transportation systems. Commitments to airfield projects have expanded capacity while decreasing delays, and expenditures in wastewater projects have led to the construction of 16,000 treatment plants and 800,000 miles of sanitary and storm sewers.

We must not grow complacent. Our present infrastructure does not meet the needs of our country to move forward.

In addition to recognizing the accomplishments of our public works professionals, this resolution highlights the need to continue moving our country in the right direction. We must commit to increasing the investment in our roads and highways that are badly underfunded while creating jobs that our communities so desperately need.

These projects put Americans to work. They provide citizens with a stable job and a decent wage. Robert Kennedy once stated, "We need jobs; dignified employment at decent pay; the kind of employment that lets a man say to his community, to his family, to his country, and most important, to himself: 'I helped to build this country. I am a participant in its great public ventures.'"

Public works projects help our Nation achieve this vision, and, through this resolution, we celebrate those who have worked to strengthen our country. I urge my colleagues to join me in supporting H. Res. 1125.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I recognize myself for such time as I may consume.

Mr. Speaker, I rise in support of this resolution, and I want to commend the gentleman from Virginia for introducing this resolution.

Whether it is for aviation, navigation, flood protection, highways, clean water, rail, our public buildings, transportation and infrastructure, projects play a critical part in our daily lives. The benefits of public works projects and those responsible for their design, construction, and maintenance are not often noticed and appreciated, so it is very fitting that we do so today with this resolution.

Much of our public works infrastructure is old and in need of modernization if our Nation is going to be able to compete globally in an environmentally sustainable manner.

The Transportation and Infrastructure Committee, on which I have had the privilege of serving since I came to this Congress in 1988, was formerly called the Public Works and Transportation Committee. The Federal Government, over the last many years, has gotten involved in many things that it really probably shouldn't be involved

in and really does not have the authority to be involved in under our constitution.

I have always enjoyed my work on the Transportation and Infrastructure Committee because I believe there is a very legitimate and very important national interest in the work of that committee. People in California sometimes use the airports in Texas. People in Ohio sometimes use the roads in Tennessee. People in New York sometimes use the water systems in Florida, and on and on and on.

The Transportation and Infrastructure Committee has jurisdiction over our water transportation system.

Chairman OBERSTAR mentioned that I have been chairman of the Aviation Subcommittee for several years. I also chaired the Water Resources and Environment Subcommittee and enjoyed chairing both of those subcommittees.

□ 1515

Today I have the privilege of serving on the Highways and Transit Subcommittee, and I was at one point the ranking member many years ago of the Public Buildings and Grounds Subcommittee, so I have seen the full scope of work of this committee. But this resolution came out of the Water Resources and Environment Subcommittee and does emphasize that important part of the work.

Our water transportation system consists of 926 coastal and inland harbors maintained by the Corps of Engineers and 25,000 miles of inland and coastal commercial waterways. If we do not keep our harbors and waterways operating efficiently, this certainly is a great threat to our economic prosperity.

In addition, we can't continue to take our modern wastewater treatment facilities for granted. Not only are they critical to protecting our health and the environment, they are critical to protecting our economy and way of life. Public infrastructure plays a critical role in enhancing our quality of life, improving our environment, and certainly contributes to our economic prosperity.

We too often take these systems and the engineers and other professionals and administrators for granted, so it is very important for Congress to recognize the contribution they make to ensuring that America remains the world's premier economic power and that we continue to have the standard of living that we are so fortunate to have in this country. I urge all Members to support H. Res. 1125.

I reserve the balance of my time.

Mr. PERRIELLO. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. The National Public Works Week is celebrated each year during the month of May, and it has been designated by a number of organizations to celebrate our public works professionals and the critical work they do to

keep our infrastructure and transportation systems working efficiently and economically. House Resolution 1125 pays tribute to these professionals, recognizing their work the week of May 16–22, 2010.

Public works are loosely defined as projects that are carried out for the public good, aptly named because they enable the public to complete its work. Hazardous materials, pipelines, and municipal infrastructures such as water supply infrastructure and sewage and refuse disposal systems, and transportation systems such as rail, highways, airports, and public transit, all fall under the public works umbrella.

Public works are vital to our Nation. Our commerce depends on the shipment of goods through rail, on our roads, and through air.

Public transportation provides many with a cost-effective way to travel while also reducing harmful effects on our environment.

Our public health depends on our water supply infrastructure as well as our sewage and disposal systems.

For the importance that they play in our daily lives, our transportation and infrastructure systems and facilities often do not receive the recognition they deserve. Although public works are depended upon daily, they receive no glory or praise when accomplishing the job. Rather, many only pay attention to these public works when they fail, such as levee failures that result in flooded communities.

I recognize the importance of public works for our communities and our country, and I am grateful to the administrators, engineers, and servicemen who continue to utilize their skills and provide hours of service and dedication to ensure these necessary facilities and systems work for our Nation. I support this resolution strongly and I urge my colleagues to support it as well.

Mr. OBERSTAR. Mr. Speaker, I rise today in support of H. Res. 1125, as amended, supporting the goals and ideals of National Public Works Week, offered by the gentleman from Virginia (Mr. PERRIELLO).

Our Nation's public works, consisting of transportation systems, water supply infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities, help our country function in an efficient and effective manner. Just as public works support our economy, our public health, and our communities' livelihood, we must support the many public works professionals who design, build, operate, maintain, and protect these systems and structures.

H. Res. 1125 pays tribute to these public works professionals, celebrating their work the week of May 16 through 22, 2010.

Without our vast network of rail, highways, airports, and public transit, our industries would not have the reach that they currently utilize each day. Without our water supply systems, or our sewage and waste disposal facilities, our communities would not be able to exist and thrive.

Without public works, quite simply, our nation would suffer.

Simple conveniences that we may take for granted—running water in our homes and even the Washington D.C. Metro system that many of our constituents utilize every year when visiting our Nation's Capitol—could not function properly without the dedicated work of the public works professionals who keep these systems operating on a daily basis.

Indeed, it is often only when our systems and facilities fail to work consistently that we notice their importance in our daily routines.

It is no secret that this body has long recognized the importance of our Nation's infrastructure. In fact, in the 111th Congress, we have placed an emphasis on reinvigorating our infrastructure systems and revitalizing our economy by investing in our Nation's public works sector.

I am pleased to note the significant investments in our infrastructure that have been made by the American Reinvestment and Recovery Act (Recovery Act) (P.L. 111–5). Of the \$64.1 billion invested by the Recovery Act in critical transportation and infrastructure programs under the Committee's jurisdiction, Federal, State and local agencies administering programs within the Committee's jurisdiction have announced 16,692 transportation and other infrastructure projects totaling \$56 billion.

These investments have proven to be critical to job creation in the past year and our public works systems have greatly benefited from them.

I urge my colleagues to join with me in supporting H. Res. 1125.

Mr. DUNCAN. Mr. Speaker, I urge my colleagues to support this resolution, and I yield back the balance of my time.

Mr. PERRIELLO. Mr. Speaker, I urge all my colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and agree to the resolution, H. Res. 1125, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DUNCAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### RECOGNIZING THE FLORIDA KEYS SCENIC HIGHWAY

Mr. PERRIELLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 917) recognizing the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of Transportation, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 917

Whereas established by Congress in 1991, the National Scenic Byways program is a

collaborative effort to help recognize, preserve, and enhance selected roads throughout the United States;

Whereas the U.S. Department of Transportation recognizes certain roads as All-American Roads or National Scenic Byways based on one or more archeological, cultural, historic, natural, recreational, and scenic qualities;

Whereas, on October 16, 2009, the U.S. Department of Transportation announced 42 new designations to the America's Byways collection, including five All-American Roads and 37 National Scenic Byways, thus increasing the total number of designations to 151;

Whereas the Florida Keys Scenic Highway was listed by the U.S. Department of Transportation as one of five All-American Roads for 2009;

Whereas the Florida Keys Scenic Highway is the first All-American Road in the State of Florida and only one of 30 in the United States, joining an elite list which includes the Blue Ridge Parkway, Alaska's Seward Highway, and Historic Route 66;

Whereas the Florida Keys Scenic Highway follows the railroad trail blazed in the 1900s by Henry Flagler;

Whereas the Florida Keys Scenic Highway comprises of an 110-mile stretch of US 1 from Key Largo to Key West;

Whereas the Florida Keys Scenic Highway incorporates 42 bridges over the waters of the Atlantic Ocean, Florida Bay, and the Gulf of Mexico;

Whereas the road's corridor is a leading tourist destination, featuring world-renowned coral reefs, exotic fish species, and historic shipwrecks; and

Whereas the end of the Florida Keys Scenic Highway, Mile Marker 0, is the southernmost city in the Continental United States: Now, therefore, be it

*Resolved, That the House of Representatives—*

*(1) recognizes the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of Transportation; and*

*(2) congratulates those residents of the Florida Keys who participated in the effort to support this designation.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Virginia (Mr. PERRIELLO) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. PERRIELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Res. 917.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PERRIELLO. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H. Res. 917, offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN), recognizing the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road.

Since its establishment in 1991, the Scenic Byways program has recognized a collection of roadways that are notable for their scenic, cultural, and historic characteristics. Last October, the

Department of Transportation announced the newest additions to the Federal Scenic Byway program, including the Florida Keys Scenic Highway which was awarded the designation of All-American Road.

I would also like to note another corridor that was designated by the National Scenic Byway at that time, the historical Journey Through Hallowed Ground Byway, which runs from Gettysburg, Pennsylvania, to Charlottesville, Virginia.

The Florida Keys Scenic Highway runs for over 100 miles along U.S. 1, from Key Largo to Key West, following the East Coast Railway line originally established by Henry Flagler in the 1900s. The highway serves as a key transportation link and tourist destination for southern Florida, crossing 42 bridges over the Atlantic Ocean, the Florida Bay, and the Gulf of Mexico.

The designation of All-American Road brings the Florida Keys Scenic Highway into a select group that includes Virginia's Blue Ridge Parkway, Alaska's Seward Highway, and the historic Route 66. In order to be designated as an All-American Road, a highway, must possess two outstanding intrinsic qualities on a national scale and must serve as a destination unto itself. The Florida Keys Scenic Highway is the first All-American Road in the State of Florida and one of just five to receive such a designation from the Department of Transportation in the most recent round of awards.

A scenic byways designation comes as the result of much work from area residents as well as local and State governments. This effort began with the designation of the highway as a Florida State Scenic Byway in 2001, the first step towards gaining recognition under the Federal program. This designation is a testament to the hard work of the residents of the Florida Keys who sought to recognize and enhance this vital corridor.

Being designated as a scenic byway is a significant distinction, as today there are only 151 nationally designated scenic byways around the country. These byways give Americans access to the best our country has to offer and provide a window into our history and our culture.

I thank the gentlewoman from Florida for bringing forth this resolution to honor the designation of the Florida Keys Scenic Highway as an All-American Road and to congratulate the residents of the Florida Keys who worked to support this designation. I urge my colleagues to join me in supporting H. Res. 917.

I reserve the balance of my time.

Mr. DUNCAN. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 917, as amended, recognizes the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of Transportation.

Few roads in America offer such natural beauty and rich history as the

Florida Keys Scenic Highway. The 106-mile journey takes the traveler through miles of ocean vistas, State and national parks, and areas rich in cultural heritage. It truly is a road to paradise.

On October 16, 2009, the Florida Keys Scenic Highway was designated an All-American Road through the Federal Highway Administration's National Scenic Byways program.

I have about one of the first scenic highways, the Cherokeela Skyway, through a mountainous area of my district, and I had the privilege of serving as the first Republican cochair of the Scenic Byways Caucus. This designation goes a little further. An All-American Road designation will help recognize and preserve this remarkable road through the collaborative efforts of the Florida Department of Transportation and local grassroots organizations.

This bipartisan resolution has more than 20 cosponsors; but I especially want to commend the gentlewoman from Florida (Ms. ROS-LEHTINEN), who has been such a leader in this Congress on many different issues, for introducing this resolution. I join her and all of the cosponsors in supporting passage of this resolution, and I urge my colleagues to do the same.

I yield such time as she may consume to the gentlelady from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I thank the Speaker and I thank my good friend for the time. Thank you very much to my colleagues on the other side.

I obviously rise in strong support of my resolution. I introduced it to recognize the Florida Keys Scenic Highway and its designation as an All-American Road by the U.S. Department of Transportation.

I have the wonderful pleasure of representing this historic highway, long known as the Overseas Highway, which is part of U.S. 1 and runs along 100 miles through a series of tropical islands from Key Largo to Key West. It is paradise.

This resolution also recognizes the many dedicated grassroots activists who have long worked hard on this major endeavor, actually since 1996. They formed the Florida Keys Scenic Corridor in 2007 and finally made this dream a reality.

The Florida Keys Scenic Highway is one of only five All-American Roads named on October 16, 2009, by the U.S. Department of Transportation under the National Scenic Byways program.

Since 1991, the National Scenic Byways program has recognized, preserved, and enhanced a collection of All-American Roads based on their scenic, historic, recreational, cultural, archeological, and natural intrinsic qualities.

The Florida Keys Scenic Highway was chosen in particular on its recreational and scenic qualities, and it is the first All-American Road in my wonderful State of Florida, the Sunshine State.

Since its completion in 1944, the highway has long been a leading tourist destination known for its recreational opportunities, for its State and national parks, its historic sites, its museums and cultural heritage. Along the highway are many historical sites, such as the Florida Keys History of Diving Museum on Islamorada which focuses on the 500-year-old history of salvaging wrecks beginning with the Spanish galleons.

Another milestone in the highway's history is Pigeon Key, which served as the base camp for those who built the old Florida Keys extension of the Florida East Coast Railroad which was destroyed by the 1935 hurricane.

And, finally, at the end of this beautiful road, at the end of the highway is the city of Key West, which includes among its many attractions the Key West Lighthouse, the Civil War-era Fort Zachary Taylor, and the Ernest Hemingway home.

This resolution is a fitting tribute to the many men and women who contributed to the fabled history of this fabulous highway which stretches back hundreds of years. I thank the committee for allowing me to present and hopefully pass this resolution. I thank my good friend from Tennessee for the time.

□ 1530

Mr. DUNCAN. Mr. Speaker, I have no additional speakers. I will simply say that I have had the privilege of having two different visits of several days each to the Florida Keys. It's a beautiful area. I've read much of the history of the area. I've been on this highway on several occasions, and I think it's very fitting and appropriate that it be given this All-American Road designation.

So I urge support of this resolution, and I yield back the balance of my time.

Mr. PERRIELLO. Mr. Speaker, I just want to thank my colleague from Florida for her tremendous work on this effort, congratulate the people of Florida, and urge colleagues on both sides of the aisle to support this resolution.

Mr. OBERSTAR. Mr. Speaker, I rise today in support of H. Res. 917, offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN), recognizing the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road. The Florida Keys Scenic Highway is one of the newest additions to the Federal Scenic Byways program, which recognizes, preserves, and enhances scenic routes across the country.

The Florida Keys Scenic Highway runs for more than 100 miles from Key West to Key Largo, bounded by the Atlantic Ocean and the Gulf of Mexico. The highway conveys travelers across 42 bridges and is noted for its unique scenic and recreational qualities.

This designation brings the Florida Keys Scenic Highway into an elite group of All-American Roads, which must possess several outstanding intrinsic qualities and must serve as a destination unto itself. This byway is the first All-American Road in the State of Florida, and one of only five to receive such a designation from the Department of Transportation in the most recent round of awards.



The Scenic Byways program is the cornerstone of our efforts to provide transportation options that celebrate our nation's scenic, cultural, and historic heritage, and has been an integral part of our Federal-aid highway program since its inception in 1991.

Being designated as a scenic byway is a notable distinction, one given only after thorough consideration. Today, there are 151 byways across the country, which represent the best America has to offer in recreation, history, and scenic travel. These byways are the soul of our national infrastructure, taking people where they want to go—not just where the road takes them. The program recognizes the richness that America has to offer—the scenic vistas, diverse cultures, and historic places that define the American landscape.

These byways are a national treasure, providing cultural, scenic, and recreational opportunities for all Americans. From California's scenic Route 1, winding along the Pacific coastline; to the historic National Road, the first federally-funded interstate highway running from Illinois to West Virginia; to the Selma to Montgomery Byway in Alabama, honoring the leaders of the civil rights movement, our byways preserve our history and allow us to appreciate the beauty of the American landscape.

The Surface Transportation Authorization Act, marked up by the Subcommittee on Highways and Transit last summer, will continue our commitment to this important program and preserve these treasures for generations to come.

I thank the gentlewoman from Florida for bringing forth this resolution to honor the designation of the Florida Keys Scenic Highway as an All-American Road, and congratulate the residents of the Florida Keys who worked to bring this designation to fruition.

I urge my colleagues to join me in supporting H. Res. 917.

Mr. PERRIELLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and agree to the resolution, H. Res. 917, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PERRIELLO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### CHANEY, GOODMAN, SCHWERNER FEDERAL BUILDING

Mr. PERRIELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3562) to designate the Federal building under construction at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building," as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3562

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. BUILDING DESIGNATION.

*The Administrator of General Services shall ensure that the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, is known and designated as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".*

#### SEC. 2. REFERENCES.

*With respect to the period in which the building referred to in section 1 is federally occupied, any reference in a law, map, regulation, document, paper, or other record of the United States to that building shall be deemed to be a reference to the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".*

Amend the title so as to read: "A bill to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, and Michael Schwerner Federal Building'."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. PERRIELLO) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. PERRIELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3562.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PERRIELLO. I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 3562, as amended, which designates the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building."

The events surrounding these three young men have a special place in the history of the civil rights movement. James Chaney, Andrew Goodman, and Michael Schwerner were civil rights activists who were training in Ohio to organize African Americans in Mississippi during the Freedom Summer of 1964. These three young men represented a wave of young Americans that took time off from other parts of their lives to wade into certain adversity in the fight for equal rights for all Americans.

During this fateful summer, these three young men were arrested by the local police as they were leaving the site of the burned church and held by the police for several hours. Later, they were released, only to be re-arrested shortly thereafter. After the second arrest, the local police official turned the three civil rights activists over to members of the Ku Klux Klan. All three activists were later murdered and their bodies were buried in an earthen dam outside of Philadelphia, Mississippi.

Many Members of this Chamber came of age during the civil rights movement, and it was a defining time in American history. This bill offers an opportunity to recognize the sacrifice of these young men, which galvanized the Nation's conscience on the brutality that everyday Americans were facing. The public's reaction to these events ultimately provided the momentum necessary for passage of the Civil Rights Act of 1964. The bill is all the more significant since the named building will house the Jackson, Mississippi FBI field office, which was created at the behest of President Lyndon B. Johnson as a result of this horrific crime. It is fitting that we honor the memory of these young men in designating the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building." I urge my colleagues to join me in supporting H.R. 3562.

Mr. Speaker, I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman for his explanation of a moment in history that left a mark on this country and changed this country forever. These three individuals, James Chaney, Andrew Goodman, and Michael Schwerner, whose blood was spilled in 1964 in their quest for freedom for civil rights, that blood was spilled and it became part of a wave of change that swept our country towards civil rights. Others also sacrificed a lot for those efforts. It's fitting that this building will be named for them. It will be a memorial not only for them, for their sacrifice, and for those others who sacrificed as well, but also a reminder as to how far we have come from those sad days in 1964. These three gentlemen gave their lives, but it was not in vain. We've seen the changes ever since. So, again, I think this is a fitting memorial and a fitting reminder for all of us as to the sacrifices that many have made and to how far we have come.

With that, Mr. Speaker, I would reserve the balance of my time.

Mr. PERRIELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), the author of this bill.

Mr. THOMPSON of Mississippi. I appreciate the time from the gentleman from Virginia.

Mr. Speaker, I rise in support of H.R. 3562, a bill to designate the FBI building under construction in Jackson, Mississippi, as the Chaney, Goodman, and Schwerner Federal Building.

Mr. Speaker, 45 years ago, three young men lost their lives while attempting to organize and register voters during what became known as Freedom Summer. These men were James Chaney, a 21-year-old Meridian, Mississippi, native; Andrew Goodman, a 20-year-old college student from New

York; and Michael Schwerner, a 24-year-old CORE organizer and social worker, also from New York.

Mr. Speaker, on July 21, 1964, the three men were driving from Meridian, Mississippi, to Longdale, Mississippi, to investigate the burning of Mount Zion United Methodist Church, which had been the meeting place for numerous civil rights groups. Along their journey, the trio was stopped by a Neshoba County deputy, who was also known as a member of the Ku Klux Klan. Subsequently, the three young men were arrested for speeding and held at the Neshoba County jail, without the use of a telephone. Hours later, they were fined and released. Shortly after the trio continued their journey, they were again pulled over by the sheriff's deputy, who was, unbeknown to them, followed by a mob of Klansmen who had assembled to abduct and kill the men. The three individuals were taken to a remote area of the county and were beaten and killed. Their car was burned and their bodies were buried in an earthen dam.

Mr. Speaker, the murders of James Chaney, who was black, and Andrew Goodman and Michael Schwerner, both Jewish, attracted national attention to the voracity of the State's racial problems. As a result of their deaths, there was more pressure on the Federal Government to pass the Voting Rights Act. After significant investigation by the FBI, the individuals' bodies were found on August 4, 1964. Due to Mississippi officials' refusal to prosecute the individuals for murder, the Justice Department brought charges against 17 individuals for conspiracy to deprive the three workers of their civil rights. Seven of the 17 individuals were found guilty, but none of them served terms longer than 6 years in jail. Mr. Speaker, finally, on June 21, 2005, a Neshoba County jury convicted Edgar Ray Killen on three counts of manslaughter and sentenced him to three consecutive terms of 20 years in prison in connection with the deaths of the young men.

Mr. Speaker, these young men paid the ultimate price attempting to bring justice and equality to my home State of Mississippi. While the naming of this building pales in comparison to the loss of a son or brother, we hope that the families of these three young men will find solace in our acknowledgment of their contribution by naming the latest symbol of justice in Mississippi after their loved ones. May the naming of this building service as a notice to domestic terrorists—in this instance, they were law enforcement officials, Ku Klux Klansmen, and trucking company owners—that their actions will never be tolerated again.

Mr. Speaker, I would like to insert in the RECORD from the City of Jackson, Mississippi and the Hinds County Board of Supervisors resolutions passed supporting the naming of this building in honor of Chaney, Goodman, and Schwerner.

Mr. Speaker, while there may be many individuals who are worthy of

having their names grace Mississippi's new FBI building, I cannot think of any more fitting for this honor than James Chaney, Andrew Goodman, and Michael Schwerner.

RESOLUTION OF THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI IN SUPPORT OF NAMING THE FEDERAL BUREAU OF INVESTIGATION (FBI) BUILDING IN HONOR OF JAMES CHANEY, ANDREW GOODMAN AND MICHAEL SCHWERNER

Whereas, it is the intent of the Hinds County Board of Supervisors, to rise strong in support and recognize the contributions of Chaney, Goodman, and Schwerner, remarkable gentlemen who dedicated their lives to the service of others, in the effort to name the Federal Bureau Investigation (FBI) Building located on 1220 Echelon Parkway, Jackson, Mississippi, in their honor; and,

Whereas, in June 1964, three young civil rights workers disappeared outside Philadelphia, Mississippi, where they were involved in the registering of African-Americans who had a desire to vote. The Department of Justice requested the Federal Bureau Investigation (FBI) to intervene and lead the case. During this time, an intensive search for the young men was launched. At the request of President Lyndon Johnson, a new Federal Bureau Investigation (FBI) field office opened in Jackson, Mississippi; and,

Whereas, as a result of the opening of the Jackson Division and the subsequent investigations, the bodies of the three civil workers were found in August 1964, in an earthen dam near Philadelphia, Mississippi. Seven men were convicted of federal conspiracy charges and sentenced to prison terms ranging from three to ten years. MIBURN, "Mississippi Burning" as the case was called, became one of the largest investigations ever conducted in Mississippi; and,

Whereas, today, the Jackson Division has Special Agents assigned at the headquarters office in Jackson and in the nine (9) Resident Agencies, located in Columbus, Greenville, Gulfport, Hattiesburg, Meridian, Oxford, Pascagoula, Southaven, and Tupelo, Mississippi; and,

Whereas, time may blur the enormous personal risk that they took in America in 1964; today these civil rights activists are recognized and remembered by people of all races for not only the effect they had on the civil rights movement but also for their selfless acts of heroism: Now, therefore, be it

*Resolved*, that the Hinds County Board of Supervisors, does hereby express its unconditional support and commend the life and legacy of Chaney, Goodman, and Schwerner, and supports the effort to name the Federal Bureau Investigation (FBI) Building in their honor.

RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI, IN SUPPORT OF NAMING THE FEDERAL BUREAU OF INVESTIGATION (FBI) BUILDING IN HONOR OF JAMES CHANEY, ANDREW GOODMAN, AND MICHAEL SCHWERNER

Whereas, it is the intent of the governing authorities of the City of Jackson, Mississippi ("City of Jackson"), to recognize the contributions of James Chaney, Andrew Goodman, and Michael Schwerner, three (3) remarkable gentlemen who dedicated their lives to the service of others; and

Whereas, in June 1964, these three young civil rights workers disappeared outside Philadelphia, Mississippi, where they were involved in the registering of African-Americans who had a desire to vote; and

Whereas, the Department of Justice requested the Federal Bureau of Investigation (FBI) to intervene and lead the case; whereby, the FBI lead an intensive search for the young men; and

Whereas, during the investigation, and at the request of President Lyndon B. Johnson, a new Federal Bureau Investigation (FBI) field office was opened in Jackson, Mississippi; and

Whereas, as a result of the opening of the Jackson Division and the subsequent investigations, the bodies of the three civil workers were found in August 1964, in an earthen dam near Philadelphia, Mississippi; and

Whereas, seven (7) men were convicted of federal conspiracy charges and sentenced to prison terms ranging from three (3) to ten (10) years; and

Whereas, MIBURN ("Mississippi Burning"), as the case was called, became one of the largest investigations ever conducted in Mississippi; and

Whereas, today, the Jackson Division employs Special Agents, which are assigned to the headquarters office in the City of Jackson, as well as in the nine (9) Resident Agencies located in the following Mississippi municipalities: Columbus, Greenville, Gulfport, Hattiesburg, Meridian, Oxford, Pascagoula, Southaven, and Tupelo; and

Whereas, these civil rights activists will always be recognized and remembered by people of all races, for not only the effect they had on the civil rights movement, but also for their selfless acts of heroism: Now, therefore, be it

*Resolved*, that the governing authorities of the City of Jackson, Mississippi, do hereby strongly urge and join in the effort to name the Federal Bureau of Investigation (FBI) Building, located on 1220 Echelon Parkway, Jackson, Mississippi, 39201, in honor of the life and legacy of James Chaney, Andrew Goodman, and Michael Schwerner.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I would like now to yield such time as he may consume to the ranking member of the Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. First, I want to thank my ranking member of our subcommittee for yielding me the time, and then I want to turn my attention to thanking the gentleman from Mississippi (Mr. THOMPSON) for his authorship of this legislation. Also, Ms. NORTON from the District for her cosponsorship and sponsorship of this legislation.

On behalf of all of the Republicans, I am fortunate to be the Republican leader of the Transportation and Infrastructure Committee, the biggest committee in Congress, and proud of the work of this subcommittee in bringing forth this legislation to honor three young heroes, three brave students who, in the summer of 1964, instead of playing games and doing whatever young people did that summer, they chose to become engaged in the civil rights movement and signing up people who previously hadn't had the ability to vote to exercise their constitutional right.

Most young people today wouldn't know the names of James Chaney, Andrew Goodman, and Michael Schwerner. This is 46 years ago. But 46 years later, we're making a small memorial in naming this FBI building now in Mississippi, the headquarters, after these three individuals who made such a difference in the civil rights movement. And through their tragic and horrific death came so much good

that other people could have rights that they were fighting for in that summer of 1964.

On behalf of the Republicans on the committee, I know I join in thanking, again, Mr. THOMPSON, Ms. NORTON, and our ranking member, Mr. DIAZ-BALART, for bringing this bill forward and for honoring those who haven't been honored before in this manner. What a great day for this Congress. What a great day for their memory. What a great day for the United States of America.

Mr. PERRIELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I'd like to thank the gentleman for yielding. Of course, I also would like to join those who have indicated, in terms of Mr. THOMPSON from Mississippi, in recognizing Schwerner, Goodman, and Chaney. I know that this is not bringing them back, but I think it says to the families of those that are left behind that the good that they did changed America, and to move America in the right direction. When you stop and you think about it, they gave of their lives in order to help to change America.

I want to say to the gentleman from Mississippi, I think it's very honorable for him to come to the floor of the House and to offer this naming and this resolution of this Federal building, because when we look back and we see in terms of the things that they went through—not to do anything for themselves; they were trying to help others. And that's the reason why I think that this is so honorable, because they gave of their lives to be able to make America better. They made it possible for people like me to be able to come and be a part of the United States Congress. If it were not for their actions, we probably wouldn't even be here.

□ 1545

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, in closing, I want to thank the gentleman from Mississippi. He mentioned a little while ago that there are some individuals that we name buildings after who are very meritorious. But this is a little bit different. These are three individuals who, frankly, changed our country for the better, and they gave it all. They gave their lives to change our country, to make our country a better place. So this is one of those that, frankly, is of great historic significance. I know it's important to the family members, but it is also equally important for our Nation for all to see, for all to remember, for all to know the sacrifices that so many, including these three individuals, made. This is the country that it is because people have been willing over the years to sacrifice, to even give their lives. And this was a tragic moment. Again, what a fitting tribute and reminder it is to name this building. So I want to thank the gentleman from Mississippi. I also need to thank Chair-

woman NORTON. She is now at this moment actually chairing her subcommittee, and I want to thank her also for her involvement, for her leadership, for moving this forward so quickly.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. PERRIELLO. Mr. Speaker, let me just thank, again, the gentleman from Mississippi for his comments and his work in this effort. I may be one of the few Members of this body that was born after the events that we discussed here today. I had the great joy of growing up in a generation that knew the freedoms that these men fought and died for.

But their legacy continues, and their lives continue through the inspiration they have spread. I remember working with kids in New Haven when I was in college, and we told the story of these three gentlemen. We told of their bravery and their courage to make sure that those who grow up today in a more free and equal society understand the blood and the tears that went into making that effort possible. Many in this body were part of that struggle to call this Nation to its greatest self and its truest ideals. In making them immortal in the naming of this office, I think we do a great honor to history and a great honor to this country at its best. We thank not only the people involved in bringing this resolution today but the families of these three gentlemen who sacrificed, that they may know that this Nation continues to honor their tremendous courage and their gift to this country.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 3562, introduced by the gentleman from Mississippi (Mr. THOMPSON). H.R. 3562, as amended, designates the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

James Chaney, Andrew Goodman, and Michael Schwerner were civil rights activists who were lynched in the summer of 1964 while attempting to organize African Americans to vote and pursue other civil rights in Mississippi. On June 21, 1964, the three men drove to Longdale, Mississippi, to investigate the site of a burned church in Neshoba County. They were arrested by the Neshoba County police as they were leaving the site and held by the police for several hours. They were later released only to be rearrested shortly thereafter. After the second arrest, the Neshoba County police officer turned the three civil rights activists over to local Klansmen. On August 4, 1964, 44 days later, their bodies were found buried in an earthen dam near Philadelphia, Mississippi.

I was a young staffer working on Capitol Hill during this time period and can easily remember how the tragic plight of these three young men gripped this nation during that summer. Their deaths remain fixed in my mind and I am deeply moved as I remember how this incident helped strengthen the momentum for the Civil Rights Act of 1964.

The great public uproar also led President Lyndon B. Johnson to direct Federal Bureau

of Investigation (FBI) Director J. Edgar Hoover to open the Jackson Division of the FBI. The FBI flooded the State with agents in an attempt to solve the crime and eventually arrested 18 suspects on Federal conspiracy charges in the murder of these civil rights activists.

These young men were courageous in the face of blistering adversity during the sustained march for civil rights in Mississippi during the summer of 1964. It is fitting we offer this permanent honor of their sacrifices with the designation of the Jackson, Mississippi FBI field office as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

I urge my colleagues to join me in supporting H.R. 3562.

Mr. PERRIELLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and pass the bill, H.R. 3562, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PERRIELLO. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### SECURE FEDERAL FILE SHARING ACT

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4098) to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by government employees, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4098

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Secure Federal File Sharing Act".

#### SEC. 2. REQUIREMENTS.

(a) UPDATED GUIDANCE ON USE OF CERTAIN SOFTWARE PROGRAMS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, after consultation with the Federal Chief Information Officers Council, shall issue guidance on the use of peer-to-peer file sharing software—

(1) to prohibit the download, installation, or use by Government employees and contractors of open-network peer-to-peer file sharing software on all Federal computers, computer systems, and networks, including those operated by contractors on the Government's behalf, unless such software is approved in accordance with procedures under subsection (b); and

(2) to address the download, installation, or use by Government employees and contractors of such software on home or personal computers as it relates to telework and remotely accessing Federal computers, computer systems, and networks, including those operated by contractors on the Government's behalf.

(b) **APPROVAL PROCESS FOR CERTAIN SOFTWARE PROGRAMS.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall develop a procedure by which the Director, in consultation with the Chief Information Officer, may receive requests from heads of agencies or chief information officers of agencies for approval for use by Government employees and contractors of specific open-network peer-to-peer file sharing software programs that are—

(1) necessary for the day-to-day business operations of the agency;

(2) instrumental in completing a particular task or project that directly supports the agency's overall mission;

(3) necessary for use between, among, or within Federal, State, or local government agencies in order to perform official agency business; or

(4) necessary for use during the course of a law enforcement investigation.

(c) **AGENCY RESPONSIBILITIES.**—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) direct agencies to establish or update personal use policies of the agency to be consistent with the guidance issued pursuant to subsection (a);

(2) direct agencies to require any contract awarded by the agency to include a requirement that the contractor comply with the guidance issued pursuant to subsection (a) in the performance of the contract;

(3) direct agencies to update their information technology security or ethics training policies to ensure that all employees, including those working for contractors on the Government's behalf, are aware of the requirements of the guidance required by subsection (a) and the consequences of engaging in prohibited conduct; and

(4) direct agencies to ensure that proper security controls are in place to prevent, detect, and remove file sharing software that is prohibited by the guidance issued pursuant to subsection (a) from all Federal computers, computer systems, and networks, including those operated by contractors on the Government's behalf.

### SEC. 3. ANNUAL REPORT.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of this Act, including—

(1) a justification for each open-network peer-to-peer file sharing software program that is approved pursuant to subsection (b); and

(2) an inventory of the agencies where such programs are being used.

### SEC. 4. DEFINITIONS.

In this Act:

(1) **AGENCY.**—The term “agency” has the meaning provided the term “Executive agency” by section 105 of title 5, United States Code.

(2) **OPEN-NETWORK.**—The term “open-network”, with respect to software, means a network in which—

(A) access is granted freely, without limitation or restriction; or

(B) there are little or no security measures in place.

(3) **PEER-TO-PEER FILE SHARING SOFTWARE.**—The term “peer-to-peer file sharing software”—

(A) means a program, application, or software that is commercially marketed or distributed to the public and that enables—

(i) a file or files on the computer on which such program is installed to be designated as available for searching and copying to one or more other computers;

(ii) the searching of files on the computer on which such program is installed and the copying of any such file to another computer—

(I) at the initiative of such other computer and without requiring any action by an owner or authorized user of the computer on which such program is installed; and

(II) without requiring an owner or authorized user of the computer on which such program is installed to have selected or designated another computer as the recipient of any such file; and

(iii) an owner or authorized user of the computer on which such program is installed to search files on one or more other computers using the same or a compatible program, application, or software, and copy such files to such owner or user's computer; and

(B) does not include a program, application, or software designed primarily—

(i) to operate as a server that is accessible over the Internet using the Internet Domain Name system;

(ii) to transmit or receive email messages, instant messaging, real-time audio or video communications, or real-time voice communications; or

(iii) to provide network or computer security (including the detection or prevention of fraudulent activities), network management, maintenance, diagnostics, or technical support or repair.

(4) **CONTRACTOR.**—The term “contractor” means a prime contractor or a subcontractor, as defined by the Federal Acquisition Regulation.

### SEC. 5. BUDGETARY EFFECTS OF PAYGO LEGISLATION FOR THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and to extend their remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. Mr. Speaker, I yield myself as much time as I may consume.

The bill we are now considering, H.R. 4098, the Secure Federal File Sharing Act, is intended to improve the cybersecurity of Federal systems in response

to a series of troubling breaches of confidential information. It requires the director of the Office of Management and Budget to issue new guidance prohibiting the use of open network peer-to-peer file sharing software on all Federal computers and networks, including those of contractors working on the government's behalf.

Peer-to-peer file sharing software allows users to instantly connect with each other to search and copy electronic files, most commonly music and movies. The committee has been investigating the dangers of peer-to-peer file sharing software for 9 years. During that time, we discovered a frightening amount of child pornography, thousands of personal tax filings, medical records, and highly sensitive government information, including the location of a Secret Service safe house for the first family and an electronic schematic for Marine One, all available on open peer-to-peer networks to millions of users around the world.

What's clear is that as the popularity of file sharing has grown, so have the privacy and security risks. For the Federal Government, those risks are simply too great to ignore. H.R. 4098 would codify an existing OMB memorandum prohibiting Federal employees from using certain peer-to-peer file sharing programs and strengthen that policy by extending it to include Federal contractors working on the government's behalf. This is a good bill, and I strongly encourage my colleagues to join me in supporting this good bill.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I join with the chairman on a bipartisan basis to support this important legislation. As the chairman said—who, quite frankly, has done an inordinate amount of work on this, including multiple hearings over a period of time—although we have succeeded in some limited way in addressing this problem, when we revisited it after more than a year, we discovered some of the examples the chairman gave us, including the First Family's safe house being made vulnerable.

Mr. Speaker, as you can imagine, everything we do in government, everything we order in government has a cost. The CBO has scored this one at \$10 million over its life, about \$2 million to \$3 million a year. What is the cost of the loss of the President? What is the cost of a soldier's orders to deploy being made public? What is the cost of your tax returns being made public? What is the cost to sensitive national defense information or, in fact, the leaking of people who are in the clandestine service? All of that has been shown to be at risk as long as peer-to-peer continues to operate on the Federal system.

Mr. Speaker, directing the Office of Management and Budget to create the guidance for prohibiting download or installation by government employees

of these pieces of software, which are essentially spy software, spy software on behalf of those who sell this information and sell access to this information is, in fact, essential. File sharing within the Federal workforce and within Congress is closely monitored. We do have the ability to do file transfer protocol in a secure way. Clearly, though, as our hearings have shown, those who market this software to the public, usually for free, do so with backdoors deliberately there that make it enticing to those who want access, and that's how their revenue comes.

Our hearings have shown that the very players who will provide you peer-to-peer for free so that you can get thousands of videos, plenty of music, and exchange pictures often do so specifically so that you unwittingly open up all of your information.

Mr. Speaker, the American people deserve to have the information entrusted to us, their private information, kept private. Without this important legislation, that private information is consistently being made public through backdoor software installed by well-meaning individuals who only intended to share their summer pictures and not release the information on soldiers in harm's way. I urge strongly support for this legislation.

I reserve the balance of my time.

Mr. TOWNS. Mr. Speaker, I want to commend the staff of the committee. I want to commend the ranking member of the full committee, Congressman ISSA, who has worked very closely with us to get us to this point. I also want to point out how important it is when you work together that you can pull things together and get them to the floor. I want to salute him for his work on this as well, and again, to all the staff members who have participated in helping us to get here today.

I reserve the balance of my time.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Chairman, it is you that we owe a great debt of thanks to. You've championed this. You've made sure both at the subcommittee and the full committee that we've had a thorough evaluation. We've given the companies who claim that they are well-meaning opportunity repeatedly to show that they could fix or would fix their software, only to discover they did not fix their software. So I join with you in commending our staff on both sides of the aisle for the hard work they did, for the individual research, and for some of the other organizations who were concerned about the safety of the American people's vital information for helping us shed light on this. I know this is a good piece of legislation. I know we're going to have to work to get it through the Senate. I look forward to doing that with you, Mr. Chairman.

I yield back the balance of my time.

Mr. TOWNS. I thank the gentleman from California, the ranking member, for his kind words.

Ms. CLARKE. Mr. Speaker, I rise today in support of House Resolution 4098, the Secure Federal File Sharing Act. As Chairwoman of the Committee on Homeland Security Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, I regularly deal with cybersecurity issues related to Federal civilian agencies and am happy to see this effort moving forward.

The Secure Federal File sharing Act directs the Office of Management and Budget to issue guidance that would prohibit the use of peer-to-peer software on Federal computer systems, on home computers of government employees who telecommute, and by Federal contractors. This bill will help improve our government's cyber-security in a number of ways.

First, and most importantly, this bill reduces the risk to our government computer systems of downloading malicious software that could infect other systems within the government. It is well documented that peer-to-peer applications are regularly used by hackers to incorporate spyware, viruses, Trojan horses, or worms onto the downloader's computer. Not only does this expose a person's personal information to exploitation, but could put sensitive information about our government resources into unfriendly hands.

Secondly, peer-to-peer software is frequently used to illegally download software or documents that are otherwise protected by intellectual property laws. Allowing Federal employees to use this software to download pirated materials not only puts them at risk of prosecution, but puts the Federal government in a precarious position of having passively supported illegal acts.

Finally, peer-to-peer software is costly to the U.S. taxpayer. Because of the high risk nature of the software, its use only increases the amount we must spend to secure our computer systems from the cyber attacks it inevitably leads to.

This legislation helps close a security hole among Federal civilian agencies, and I urge my colleagues to join me in passing House Resolution 4098.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the resolution, H.R. 4098, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 1186, by the yeas and nays;

H.R. 3976, de novo;

H.R. 4592, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### NATIONAL DISTRACTED DRIVING AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1186, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Ms. MARKEY) that the House suspend the rules and agree to the resolution, H. Res. 1186.

The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 17, as follows:

[Roll No. 175]

YEAS—410

Ackerman	Capito	Eshoo
Aderholt	Capps	Etheridge
Adler (NJ)	Capuano	Fallin
Akin	Cardoza	Farr
Alexander	Carnahan	Fattah
Altmire	Carney	Finer
Andrews	Carson (IN)	Flake
Arcuri	Carter	Fleming
Austria	Cassidy	Forbes
Baca	Castle	Fortenberry
Bachmann	Castor (FL)	Foster
Bachus	Chaffetz	Fox
Baird	Chandler	Frank (MA)
Baldwin	Childers	Franks (AZ)
Barrett (SC)	Chu	Frelinghuysen
Barrow	Clarke	Fudge
Bartlett	Clay	Galleghy
Barton (TX)	Cleaver	Garrett (NJ)
Bean	Clyburn	Gerlach
Becerra	Coble	Gingrey (GA)
Berkley	Coffman (CO)	Gonzalez
Berman	Cohen	Goodlatte
Berry	Cole	Gordon (TN)
Biggert	Conaway	Granger
Bilbray	Connolly (VA)	Graves
Billirakis	Conyers	Grayson
Bishop (GA)	Cooper	Green, Al
Bishop (NY)	Costello	Green, Gene
Blackburn	Courtney	Griffith
Blumenauer	Crenshaw	Grijalva
Blunt	Crowley	Guthrie
Boclieri	Cuellar	Gutierrez
Boehner	Culberson	Hall (NY)
Bonner	Cummings	Hall (TX)
Bono Mack	Dahlkemper	Halvorson
Boozman	Davis (CA)	Hare
Boren	Davis (IL)	Harman
Boswell	Davis (KY)	Harper
Boucher	DeFazio	Hastings (FL)
Boustany	DeGette	Hastings (WA)
Boyd	Delahunt	Heinrich
Brady (PA)	DeLauro	Heller
Brady (TX)	Dent	Hensarling
Braley (IA)	Diaz-Balart, L.	Hergert
Bright	Diaz-Balart, M.	Herseth Sandlin
Broun (GA)	Dicks	Higgins
Brown (SC)	Dingell	Hill
Brown, Corrine	Doggett	Himes
Brown-Waite,	Donnelly (IN)	Hinchey
Ginny	Doyle	Hinojosa
Buchanan	Dreier	Hirono
Burgess	Driebeaus	Hodes
Burton (IN)	Duncan	Holden
Butterfield	Edwards (MD)	Holt
Buyer	Edwards (TX)	Honda
Calvert	Ehlers	Hoyer
Camp	Ellison	Hunter
Campbell	Ellsworth	Inglis
Cantor	Emerson	Inslee
Cao	Engel	Israel



Issa	Melancon	Sarbanes
Jackson (IL)	Mica	Scalise
Jackson Lee	Michaud	Schakowsky
(TX)	Miller (FL)	Schauer
Jenkins	Miller (MI)	Schiff
Johnson (GA)	Miller (NC)	Schmidt
Johnson, E. B.	Miller, Gary	Schock
Johnson, Sam	Miller, George	Schrader
Jones	Minnick	Schwartz
Jordan (OH)	Mitchell	Scott (GA)
Kagen	Mollohan	Scott (VA)
Kanjorski	Moore (KS)	Sensenbrenner
Kaptur	Moore (WI)	Serrano
Kildee	Moran (KS)	Sestak
Kilroy	Moran (VA)	Shadegg
Kind	Murphy (CT)	Shea-Porter
King (IA)	Murphy (NY)	Sherman
King (NY)	Murphy, Patrick	Shimkus
Kingston	Murphy, Tim	Shuler
Kirk	Myrick	Shuster
Kirkpatrick (AZ)	Nadler (NY)	Simpson
Kissell	Napolitano	Sires
Klein (FL)	Neal (MA)	Skelton
Kline (MN)	Neugebauer	Slaughter
Kosmas	Nunes	Smith (NE)
Kratovil	Nye	Smith (NJ)
Kucinich	Oberstar	Smith (TX)
Lamborn	Obey	Smith (WA)
Lance	Oliver	Snyder
Langevin	Ortiz	Souder
Larsen (WA)	Owens	Space
Larson (CT)	Pallone	Speier
Latham	Pascarell	Spratt
LaTourette	Pastor (AZ)	Stark
Latta	Paulsen	Stearns
Lee (CA)	Pence	Stupak
Lee (NY)	Perlmutter	Sullivan
Levin	Perriello	Sutton
Lewis (CA)	Peters	Tanner
Lewis (GA)	Peterson	Taylor
Linder	Petri	Teague
Lipinski	Pingree (ME)	Terry
LoBiondo	Pitts	Thompson (CA)
Loeback	Platts	Thompson (MS)
Lofgren, Zoe	Polis (CO)	Thompson (PA)
Lowe	Pomeroy	Thornberry
Lucas	Posey	Tiberi
Luetkemeyer	Price (GA)	Tierney
Luján	Price (NC)	Titus
Lummis	Putnam	Tonko
Lungren, Daniel	Quigley	Towns
E.	Radanovich	Tsongas
Lynch	Rahall	Turner
Mack	Rangel	Upton
Maffei	Rehberg	Van Hollen
Maloney	Reichert	Velázquez
Manzullo	Reyes	Visclosky
Marchant	Richardson	Walden
Markey (CO)	Rodriguez	Walz
Markey (MA)	Roe (TN)	Wasserman
Marshall	Rogers (AL)	Schultz
Matheson	Rogers (KY)	Waters
Matsui	Rogers (MI)	Watson
McCarthy (CA)	Rohrabacher	Watt
McCarthy (NY)	Rooney	Waxman
McCaul	Ros-Lehtinen	Weiner
McClintock	Roskam	Welch
McCotter	Ross	Westmoreland
McDermott	Rothman (NJ)	Whitfield
McGovern	Roybal-Allard	Wilson (OH)
McHenry	Royce	Wilson (SC)
McIntyre	Ruppersberger	Wittman
McKeon	Rush	Wolf
McMahon	Ryan (OH)	Woolsey
McMorris	Ryan (WI)	Wu
Rodgers	Salazar	Yarmuth
McNerney	Sánchez, Linda	Young (AK)
Meek (FL)	T.	Young (FL)
Meeks (NY)	Sanchez, Loretta	

## NAYS—2

Johnson (IL)	Paul
--------------	------

## NOT VOTING—17

Bishop (UT)	Gohmert
Costa	Hoekstra
Davis (AL)	Kennedy
Davis (TN)	Kilpatrick (MI)
Garamendi	McCollum
Giffords	Olson

Payne
Poe (TX)
Sessions
Tiahrt
Wamp

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1624

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## HELPING HEROES KEEP THEIR HOMES ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3976, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 3976, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

## RECORDED VOTE

Mr. PRICE of North Carolina. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 4, not voting 9, as follows:

[Roll No. 176]

## AYES—416

Ackerman	Brown-Waite,	Davis (IL)
Aderholt	Ginny	Davis (KY)
Adler (NJ)	Buchanan	DeFazio
Akin	Burgess	DeGette
Alexander	Burton (IN)	Delahunt
Altmire	Butterfield	DeLauro
Andrews	Buyer	Dent
Arcuri	Calvert	Diaz-Balart, L.
Austria	Camp	Diaz-Balart, M.
Baca	Campbell	Dicks
Bachmann	Cantor	Dingell
Bachus	Cao	Doggett
Baird	Capito	Donnelly (IN)
Baldwin	Capps	Doyle
Barrett (SC)	Capuano	Dreier
Barrow	Cardoza	Driehaus
Barlett	Carnahan	Duncan
Barton (TX)	Carney	Edwards (MD)
Bean	Carson (IN)	Edwards (TX)
Becerra	Carter	Ehlers
Berkley	Cassidy	Ellison
Berman	Castle	Ellsworth
Berry	Castor (FL)	Emerson
Biggert	Chaffetz	Engel
Bilbray	Chandler	Eshoo
Bilirakis	Childers	Etheridge
Bishop (GA)	Chu	Fallin
Bishop (NY)	Clarke	Farr
Bishop (UT)	Clay	Fattah
Blackburn	Cleaver	Filner
Blumenauer	Clyburn	Fleming
Blunt	Coble	Forbes
Boccieri	Coffman (CO)	Fortenberry
Boehner	Cohen	Foster
Bonner	Cole	Fox
Bono Mack	Conaway	Frank (MA)
Boozman	Connolly (VA)	Franks (AZ)
Boren	Conyers	Frelinghuysen
Boswell	Cooper	Fudge
Boucher	Costa	Galleghy
Boustany	Costello	Garamendi
Boyd	Courtney	Garrett (NJ)
Brady (PA)	Crenshaw	Gerlach
Brady (TX)	Crowley	Giffords
Braley (IA)	Cuellar	Gingrey (GA)
Bright	Culberson	Gohmert
Brown (SC)	Cummings	Gonzalez
Brown, Corrine	Dahlkemper	Goodlatte
	Davis (CA)	Gordon (TN)

Granger	Maffei	Ros-Lehtinen
Graves	Maloney	Roskam
Grayson	Manzullo	Ross
Green, Al	Marchant	Rothman (NJ)
Green, Gene	Markey (CO)	Roybal-Allard
Griffith	Markey (MA)	Royce
Grijalva	Marshall	Ruppersberger
Guthrie	Matheson	Rush
Gutierrez	Matsui	Ryan (OH)
Hall (NY)	McCarthy (CA)	Ryan (WI)
Hall (TX)	McCarthy (NY)	Salazar
Halvorson	McCaul	Sánchez, Linda
Hare	McCollum	T.
Harman	McCotter	Sanchez, Loretta
Harper	McDermott	Sarbanes
Hastings (FL)	McGovern	Scalise
Hastings (WA)	McHenry	Schakowsky
Heinrich	McIntyre	Schauer
Heller	McKeon	Schiff
Hensarling	McMahon	Schmidt
Herger	McMorris	Schock
Herseth Sandlin	Rodgers	Schrader
Higgins	McNerney	Schwartz
Hill	Meek (FL)	Scott (GA)
Himes	Meeks (NY)	Scott (VA)
Hinchey	Melancon	Sensenbrenner
Hinojosa	Mica	Serrano
Hirono	Michaud	Sestak
Hodes	Miller (FL)	Shadegg
Holden	Miller (MI)	Shea-Porter
Holt	Miller (NC)	Sherman
Honda	Miller, Gary	Shimkus
Hoyer	Miller, George	Shuler
Hunter	Minnick	Shuster
Inglis	Mitchell	Simpson
Inslee	Mollohan	Sires
Israel	Moore (KS)	Skelton
Issa	Moore (WI)	Slaughter
Jackson (IL)	Moran (KS)	Smith (NE)
Jackson Lee	Moran (VA)	Smith (NJ)
(TX)	Murphy (CT)	Smith (TX)
Jenkins	Murphy (NY)	Smith (WA)
Johnson (GA)	Murphy, Patrick	Snyder
Johnson (IL)	Murphy, Tim	Souder
Johnson, E. B.	Myrick	Space
Johnson, Sam	Nadler (NY)	Speier
Jones	Napolitano	Spratt
Jordan (OH)	Neal (MA)	Stark
Kagen	Neugebauer	Stearns
Kanjorski	Nunes	Stupak
Kaptur	Nye	Sullivan
Kildee	Oberstar	Sutton
Kilroy	Obey	Tanner
Kind	Olson	Taylor
King (IA)	Oliver	Teague
King (NY)	Ortiz	Terry
Kingston	Owens	Thompson (CA)
Kirk	Pallone	Thompson (MS)
Kirkpatrick (AZ)	Pascarell	Thompson (PA)
Kissell	Pastor (AZ)	Thornberry
Klein (FL)	Paulsen	Tiberi
Kline (MN)	Payne	Tierney
Kosmas	Pence	Titus
Kratovil	Perlmutter	Tonko
Kucinich	Perriello	Towns
Lamborn	Peters	Tsongas
Lance	Peterson	Turner
Langevin	Petri	Upton
Larsen (WA)	Pingree (ME)	Van Hollen
Larson (CT)	Pitts	Velázquez
Latham	Platts	Visclosky
LaTourette	Poe (TX)	Walden
Latta	Polis (CO)	Walz
Lee (CA)	Pomeroy	Wasserman
Lee (NY)	Posey	Schultz
Levin	Price (NC)	Waters
Lewis (CA)	Putnam	Watson
Lewis (GA)	Quigley	Watt
Linder	Radanovich	Waxman
Lipinski	Rahall	Weiner
LoBiondo	Rangel	Welch
Loeback	Rehberg	Westmoreland
Lofgren, Zoe	Reichert	Whitfield
Lowe	Reyes	Wilson (OH)
Lucas	Richardson	Wilson (SC)
Luetkemeyer	Rodriguez	Wittman
Luján	Roe (TN)	Wolf
Lummis	Rogers (AL)	Woolsey
Lungren, Daniel	Rogers (KY)	Wu
E.	Rogers (MI)	Yarmuth
Lynch	Rohrabacher	Young (AK)
Mack	Rooney	Young (FL)

## NOES—4

Broun (GA)	McClintock
Flake	Paul

## NOT VOTING—9

Davis (AL)	Kennedy	Sessions
Davis (TN)	Kilpatrick (MI)	Tiahrt
Hoekstra	Price (GA)	Wamp

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1633

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PRICE of Georgia. Mr. Speaker, on roll-call No. 176. I was unavoidably detained. Had I been present, I would have voted "aye."

## ENERGY JOBS FOR VETERANS ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 4592, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 4592, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

## RECORDED VOTE

Mr. TONKO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 397, noes 19, not voting 13, as follows:

[Roll No. 177]

AYES—397

Ackerman	Boswell	Chu
Aderholt	Boucher	Clarke
Adler (NJ)	Boustany	Clay
Alexander	Boyd	Cleaver
Altmire	Brady (PA)	Clyburn
Andrews	Brady (TX)	Coble
Arcuri	Braley (IA)	Coffman (CO)
Austria	Bright	Cohen
Baca	Brown (SC)	Cole
Bachmann	Brown, Corrine	Connolly (VA)
Bachus	Brown-Waite,	Conyers
Baird	Ginny	Cooper
Baldwin	Buchanan	Costa
Barrow	Burgess	Costello
Bartlett	Burton (IN)	Courtney
Barton (TX)	Butterfield	Crenshaw
Bean	Buyer	Crowley
Becerra	Calvert	Cuellar
Berkley	Camp	Culberson
Berman	Cantor	Cummings
Berry	Cao	Dahlkemper
Biggert	Capito	Davis (CA)
Blibray	Capps	Davis (IL)
Bishop (GA)	Capuano	Davis (KY)
Bishop (NY)	Cardoza	DeFazio
Blackburn	Carnahan	DeGette
Blumenauer	Carney	Delahunt
Blunt	Carson (IN)	DeLauro
Boccheri	Carter	Dent
Boehner	Cassidy	Diaz-Balart, L.
Bonner	Castle	Diaz-Balart, M.
Bono Mack	Castor (FL)	Dicks
Boozman	Chandler	Dingell
Boren	Childers	Doggett

Donnelly (IN)	Latham	Quigley
Doyle	LaTourette	Radanovich
Dreier	Latta	Rahall
Driehaus	Lee (CA)	Rangel
Duncan	Lee (NY)	Rehberg
Edwards (MD)	Levin	Reichert
Edwards (TX)	Lewis (CA)	Reyes
Ehlers	Lewis (GA)	Richardson
Ellison	Linder	Rodriguez
Ellsworth	Lipinski	Roe (TN)
Emerson	LoBiondo	Rogers (AL)
Engel	Loebbeck	Rogers (KY)
Eshoo	Lofgren, Zoe	Rogers (MI)
Etheridge	Lowey	Rohrabacher
Fallin	Lucas	Roybal-Allard
Farr	Luetkemeyer	Royce
Fattah	Lujan	Ruppersberger
Filner	Lungren, Daniel	Rush
Fleming	E.	Ryan (OH)
Forbes	Lynch	Ryan (WI)
Fortenberry	Mack	Salazar
Foster	Maffei	Sánchez, Linda
Fox	Maloney	T.
Frank (MA)	Manzullo	Sanchez, Loretta
Frelinghuysen	Marchant	Sarbanes
Fudge	Markey (CO)	Scalise
Gallegly	Markey (MA)	Schakowsky
Garamendi	Marshall	Schauer
Gerlach	Matheson	Schiff
Giffords	Matsui	Schmidt
Gingrey (GA)	McCarthy (CA)	Schock
Gohmert	McCarthy (NY)	Schwartz
Gonzalez	McCaul	Scott (GA)
Goodlatte	McCollum	Scott (VA)
Gordon (TN)	McCotter	Serrano
Granger	McDermott	Sestak
Graves	McGovern	Shea-Porter
Grayson	McHenry	Sherman
Green, Al	McIntyre	Shimkus
Green, Gene	McKeon	Shuler
Griffith	McMahon	Shuster
Grijalva	McMorris	Simpson
Guthrie	Rodgers	Sires
Hall (NY)	McNerney	Skelton
Hall (TX)	Meek (FL)	Slaughter
Halvorson	Meeks (NY)	Smith (NE)
Hare	Melancon	Smith (NJ)
Harman	Mica	Smith (TX)
Harper	Michaud	Smith (WA)
Hastings (FL)	Miller (FL)	Snyder
Hastings (WA)	Miller (MI)	Souder
Heinrich	Miller (NC)	Space
Heller	Miller, Gary	Speier
Herseth Sandlin	Miller, George	Spratt
Higgins	Minnick	Stark
Hill	Mitchell	Stearns
Himes	Mollohan	Stupak
Hinche	Moore (KS)	Sullivan
Hinojosa	Moore (WI)	Sutton
Hirono	Moran (KS)	Tanner
Hodes	Moran (VA)	Taylor
Holden	Murphy (CT)	Teague
Holt	Murphy (NY)	Terry
Honda	Murphy, Patrick	Thompson (CA)
Hoyer	Murphy, Tim	Thompson (PA)
Hunter	Myrick	Thornberry
Inglis	Nadler (NY)	Tiberi
Inslee	Napolitano	Tierney
Israel	Neal (MA)	Titus
Issa	Neugebauer	Tonko
Jackson (IL)	Nunes	Towns
Jackson Lee	Nye	Tsongas
(TX)	Oberstar	Turner
Jenkins	Obey	Upton
Johnson (GA)	Olson	Van Hollen
Johnson (IL)	Olver	Velázquez
Johnson, E. B.	Ortiz	Visclosky
Johnson, Sam	Owens	Walden
Jones	Pallone	Walz
Kagen	Pascarella	Wasserman
Kanjorski	Pastor (AZ)	Schultz
Kaptur	Paulsen	Waters
Kildee	Payne	Watson
Kilroy	Pence	Watt
Kind	Perlmutter	Waxman
King (IA)	Perriello	Weiner
King (NY)	Peters	Welch
Kirk	Peterson	Westmoreland
Kirkpatrick (AZ)	Petri	Whitfield
Kissell	Pingree (ME)	Wilson (OH)
Klein (FL)	Pitts	Wilson (SC)
Kline (MN)	Platts	Wittman
Kosmas	Poe (TX)	
Kratovil	Polis (CO)	
Kucinich	Pomeroy	
Lance	Posey	
Langevin	Price (GA)	
Larsen (WA)	Price (NC)	
Larson (CT)	Putnam	

Wolf	Wu	Young (AK)
Woolsey	Yarmuth	Young (FL)

## NOES—19

Barrett (SC)	Franks (AZ)	Lummis
Bishop (UT)	Garrett (NJ)	McClintock
Brown (GA)	Hensarling	Paul
Campbell	Herger	Sensenbrenner
Chaffetz	Jordan (OH)	Shadegg
Conaway	Kingston	
Flake	Lamborn	

## NOT VOTING—13

Akin	Hoekstra	Thompson (MS)
Bilirakis	Kennedy	Tiahrt
Davis (AL)	Kilpatrick (MI)	Wamp
Davis (TN)	Schrader	
Gutierrez	Sessions	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1640

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unable to attend to several votes today. Had I been present, I would have voted "aye" on Final Passage of H. Res. 1186, "aye" on Final Passage of H.R. 3976 and "aye" on Final Passage of H.R. 4592 as amended.

## HEALTH CARE REFORM

(Mr. CRENSHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRENSHAW. Mr. Speaker, I think we all know that Sunday night the health care bill passed the House, and today it's Tuesday, and there is an awful lot of celebrating going on. But I can tell you firsthand that a lot of people are not celebrating. In fact, a lot of people are very unhappy this bill passed. And I heard from them last night because I had one of my regularly scheduled live telephone town hall meetings, and at the peak of that town hall meeting, we had almost 8,000 people on the call.

And I asked the question, Do you feel that your concerns were heard by the Democratic leadership before that bill was brought to the House? Well, 86 percent of the people said no. And later in that town hall call I said, Do you favor or oppose this health care bill? Ninety percent of the people on that call said we do not favor that bill.

And I happen to listen to my constituents. That is why I spoke out against this bill, this government takeover. That's why I'm going to continue to speak out, and I'm going to work to make a better way.

# CONGRATULATING THE UNIVERSITY OF WISCONSIN-GREEN BAY WOMEN'S BASKETBALL TEAM

(Mr. KAGEN asked and was given permission to address the House for 1 minute.)

Mr. KAGEN. Mr. Speaker, I would like to take a moment here to honor the University of Wisconsin-Green Bay women's basketball team for their historic at-large bid to the NCAA tournament.

Now, this may not seem like a big deal to folks from the big cities or from the east or west coast, but in northeast Wisconsin, we could not be prouder of our Phoenix being the first team from the Horizon League to earn an NCAA at-large bid.

I want to commend Head Coach Matt Boland and his team for their remarkable achievement this year. They entered the tournament with 27 wins and launch into the second round today after upsetting the Virginia Cavaliers over the weekend. I also want to point out most of Coach Boland's team is homegrown in Wisconsin. For the lady Phoenix players, most of them spent their lifetime growing up in northeast Wisconsin.

I want to thank the entire UWGB team for making Wisconsin proud, and I wish them good luck tonight in their road to the Final Four.

## UNIVERSITY OF WYOMING'S NORDIC SKIING CLUB

(Mrs. LUMMIS asked and was given permission to address the House for 1 minute.)

Mrs. LUMMIS. Mr. Speaker, I rise today to recognize my alma mater, the University of Wyoming, and their Nordic Skiing Club.

For the second year in a row, both the men's and women's teams have brought home the gold, sweeping the Division II United States Collegiate Ski and Snowboard Association Nationals.

UW's Cowboys dominated the competition—the men's team earning 59 points, giving them a 29-point lead on St. Olaf College. The UW women's team was a closer call. The Cowgirls were in third place heading into the final 15km team relay. Not only did they take the relay, but their performance gave them a one-point lead on Whitman College, earning them the national title.

Individual recognition should go to Evgeniy Panzhinskiy, who tied for first in the overall individual points standings; Eliah Pedersen, fifth; Daniel Lewis, seventh; and John Kirlin, ninth. For the Cowgirls, Gracey Lewis tied for second, Gwynn Barrows sixth, and Marie Cartwright placed seventh overall.

I would like to congratulate Christi Boggs and Rachel Watson, who coached both teams to championship titles 2 years in a row.

Again, I congratulate the University of Wyoming ski teams on all their suc-

cess. The Cowboy State should be proud of these young men and women.

□ 1645

## MEETING DANIEL WEBSTER'S CHARGE

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, Sunday, this was an historic sight when the health care bill passed this House, and today in the East Room of the White House President Obama signed it into law. The signing of that bill, hopefully changed by the reconciliation bill, will stand with Medicare, Social Security, and civil rights as some of the great laws to ever pass in this Nation's history. I am so proud to have been a part of it.

To reflect on Daniel Webster, whose words are engraved above the Speaker's rostrum in the wall of this building, "Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered."

This Democratic 111th Congress has met Daniel Webster's charge and done something for this generation and others worthy to be remembered.

## HEALTH CARE OVERHAUL: WHAT'S NEXT?

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, people are asking: Now that the health care overhaul has been passed, what's next? Well, my colleagues and I are saying we need to repeal the most egregious parts of this legislation and replace them with real, effective reforms.

We must do more than simply repeal this bill. We have to replace it with reforms that will actually bring down the cost of health care. We have solutions that focus first on lowering cost and preserving jobs. We have to repeal the over \$500 billion in job-killing taxes on the bill, repeal taxpayer funding of abortion and start over with laws that respect life.

I am a strong supporter of legislation that allows everyone to purchase health insurance across State lines. We should be expanding tax-free health savings accounts for all Americans, giving patients control over their health care and giving small businesses the power to pool together.

Madam Speaker, the health care overhaul is a travesty of justice, and we can do better.

## CHRISTIAN WORSHIP SERVICE IN NATIONAL STATUARY HALL

(Mr. AKIN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. AKIN. Madam Speaker, last Sunday, March 21, Republican and Democrat Members and their families gathered for a Christian worship service in Statuary Hall. This actually has been a longstanding tradition. Years ago, services were held in the Rotunda. They were held weekly, and various Presidents would go to those services.

The service Sunday was organized by Congressman FORBES and Congressman MCINTYRE. I led the singing of three hymns. All available seats were taken and Statuary Hall was about half full. The service was dignified and reverent, it was led by Members of both parties, and, finally, Father Frank Pavone gave a short sermon.

As the bright sunlight shone from the windows overhead, the sense of God's grace was abundant. It was a particularly special moment for Members of the House. I thought it would be appropriate to enter that in the journal as a memory of that Sunday service.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. KIRKPATRICK of Arizona). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## POWER GRAB AND USURPATION OF STATES' RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Madam Speaker, I continue to sound the battle cry on this, because since 1913, the States have had no way to prevent usurpation of States' rights; they have had no way to do anything about unfunded mandates that were crammed down their throats.

The Constitution itself provided for that in that it said the State legislatures would select the U.S. Senators. As long as that was the case, every U.S. Senator knew if they created an unfunded mandate, if they took away States' rights or did anything to harm the States' power that was granted to them under the United States Constitution, they would yank that Senator back, and he would never come back to the U.S. Senate and would probably never get elected to the House of Representatives. But that was the check and balance that the brilliance of the Constitution provided.

Since 1913, when that was repealed through the 17th Amendment, there has not been any check or balance on our power grab and usurpation of States' rights. It's time to do something about it, and we saw that by the unfunded mandate requiring billions of dollars that could bankrupt our States being shoved down their throats by a bill that was signed into law today.

The way that can be handled is under article V. It's the part of article V that has never been used before, and that is the part that says that if two-thirds of the States—that's 34—make an application to the Congress for a convention to make amendments to the Constitution, it has to be provided, and then you have a convention and you create an amendment, one or two, whatever is necessary, to finally put back in place, after 97 years, a check and balance on this body usurping powers granted to the States and reserved to the people.

It's high time that's done. It doesn't need the President's authorization, so there's no need for an override of a veto if he doesn't let it happen. We will probably need people who would be open to that idea in charge here in this House, but it needs to happen so that we don't keep this train running so fast down the track the wrong way that it derails and takes the Nation with it.

We cannot continue this kind of unfunded mandate. It's time for an amendment to the Constitution to put a check back on our unbridled usurpation of States' rights, and I look forward to that happening. We've got 39 States that want to do something about this unholy bill that was passed. Well, this is what they can do, and we can change things and get back on track.

#### IN RECOGNITION OF KEN BROWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Madam Speaker, I am absolutely delighted to be here with my colleague DINA TITUS from Nevada, and I rise today to honor the dedication and service of a true veterans' advocate, Kenneth Brown.

From 1943 to 1945, Mr. Brown served in the United States Navy during World War II as a United States Navy Armed Guard gunner's mate. After receiving an honorable discharge, Mr. Brown dedicated his life to improving the quality of life for Nevada military veterans and their families.

In 1987—and this is just an extraordinary act that he performed—Mr. Brown purchased 83½ acres of land in Boulder City, Nevada. He donated this parcel to the State of Nevada, encouraging the State to use this land to build a veterans cemetery.

On April 6, 1990, Mr. Brown's dream was realized and the Southern Nevada Veterans Memorial Cemetery was officially dedicated. His generous donation and tireless efforts helped Nevada provide its veterans a final resting place in dignity, respect, and honor.

In recognition of his contribution, the Governor declared April 6, 1990, as "Ken Brown Day." Mr. Brown has received countless honors paying tribute to his 50 years of service to Nevada veterans and their families, including the key to the city of Las Vegas for heroism and vision in supporting veterans

in Nevada, and the God and Country Award from the United States Navy Armed Guard.

It is truly an honor for me to stand here today and recognize my friend, and he truly is my friend, Mr. Ken Brown, for all of his work that he has done for the veterans community and for helping to bring a veterans cemetery to southern Nevada, where all veterans and their spouses can be buried with dignity.

I cannot tell you how many times I have seen Mr. Brown at our VA cemetery in Boulder City honoring our war dead and being there as an inspiration to those veterans who came home, served their country admirably, and will one day be at that cemetery. He has done a wonderful thing for not only the State of Nevada, not only its veterans, but for mankind.

Mr. Ken Brown, I salute you and I thank you. My respect and admiration are yours today.

#### DEPARTMENT OF DEFENSE AND FEDERAL PRISON INDUSTRIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Madam Speaker, I rise today to express my concern with a Department of Defense policy that has taken jobs away from hardworking Americans in the textile, apparel, and footwear industry at a time when they need these jobs most.

DOD is allowed to purchase textile, apparel, and footwear products from an organization called Federal Prison Industries, an entity that uses prisoners in U.S. jails as labor.

In the 2008 Defense authorization bill, Congress required the Department of Defense to implement strict rules to govern its use of Federal Prison Industries. Congress took that action so DOD would not unfairly exploit its access to virtually free prison labor and put law-abiding U.S. textile, apparel, and footwear workers out of work in the process.

Unfortunately, DOD has not followed congressional intent and has written those rules to include loopholes that give Federal Prison Industries an unfair advantage.

I am going to repeat that, Madam Speaker, because I think it's important.

Unfortunately, Department of Defense has not followed congressional intent and has written those rules to include loopholes that give Federal Prison Industries an unfair advantage.

It is very troubling that a Federal agency would not follow the will of the Congress and, instead, establish policy that destroys American jobs and the industrial base on which it depends.

Madam Speaker, over the past 17 years, the United States has lost over 29 percent of its manufacturing base. That's over 5 million jobs. When do we say enough is enough?

Madam Speaker, it is unacceptable for a Federal agency to adopt policies that cause even more manufacturing job losses. For the good of American workers in the textile, apparel, and footwear industries, I encourage the Department of Defense to reconsider its approach to this issue.

Madam Speaker, at a time that this country owes China over \$800 billion, we borrow money from the UAE, we borrow money from Japan, and here we are trying to put our textile workers out of work by having a Federal industry known as the Prison Industries to be competitors to the American worker is just wrong.

Madam Speaker, before I close, I will ask God to continue to bless our men and women in uniform. I will ask God to please bless the families of our men and women in uniform. I would ask God in his loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq. I will ask God to please bless the House and Senate that we will do what is right for this country. And I will ask God to give wisdom, strength, and courage to President Obama that he will do what is right for the American people.

I will then say, three times, God please, God please, God please continue to bless America.

□ 1700

#### HONORING KEN BROWN—"MR. VETERAN"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. TITUS) is recognized for 5 minutes.

Ms. TITUS. Madam Speaker, I rise today to honor Ken Finis Brown, affectionately known throughout Nevada as "Mr. Veteran."

As my colleague SHELLEY BERKLEY pointed out just a few moments ago, Mr. Brown was instrumental in providing a final sacred resting place for Nevada's veterans in 1987 when he donated the necessary funding for the Southern Nevada Veterans Memorial Cemetery. Mr. Brown personally donated the funding to purchase 83.5 acres of land in Boulder City in District Three that now serves as a cemetery for Nevada's fallen heroes. Our Mr. Veteran worked tirelessly so that military veterans in southern Nevada would have a dignified final resting place in our home State, close to their loved ones.

This unyielding effort was formally recognized by the State of Nevada when it declared April 6, 1990, "Ken Brown Day." On that same day, the Southern Nevada Veterans Memorial Cemetery was officially dedicated. Everyone in southern Nevada knows that this project would never have been completed without the hard work and dedication of Ken Brown.

This was just one of many awards and commendations that our Mr. Veteran has received, including a proclamation of heroism from Clark County,

a God and Country award from the U.S. Navy Armed Guard, a formal proclamation from the Las Vegas City Council and keys to the city, and a Certificate of Recognition and Appreciation from the Veterans of Foreign Wars Political Action Committee. His efforts have been recognized, both formally and informally, by countless organizations and individuals, too many to list here.

Mr. Brown served our country admirably in the United States Navy during World War II while our Nation was fighting to rid the world of tyranny and hatred. At a time when our Nation needed heroes, Ken Brown stepped up. He answered the call.

Since his service in our Nation's armed services, Ken has dedicated his life to improving the lives of other veterans in southern Nevada through his advocacy and his own example.

Mr. Brown has also written a poem which was dedicated to our Afghan and Iraq veterans, U.S. Navy Armed Guard, and the U.S. Merchant Marines. The words of his work ring true today as our brave men and women serve valiantly throughout the world to protect our Nation.

#### LIFE

Dedicated to Afghan and Iraq Veterans and United States Navy Armed Guard  
United States Merchant Marines, 36,000 died in WWII

For love and money, our lives we pay, Baubles we earn with a whole soul's tasking; Tis heaven alone that is given away, Tis only God may be had for the asking; No price set on the lavish summer, And June may be had by the poorest comer.

Whether we look, or whether we listen, We hear life murmur, or see it glisten; Every clod feels a stir of might, An instinct within it that reaches and towers, And, grasping blindly above it for light, Climbs to a soul in grass and flowers.

Now the heart is so full that a drop overfills, We are happy now because God so wills it; We may shut our eyes, but we cannot help knowing That the sky is clear and the grass is growing.

Joy comes, grief goes, we know not how; Every thing is happy now, Every thing is upward striving Tis as easy now for the heart to be true As for grass to be green or skies to be blue,—Tis the Natural way of living.

We must always remember that life is precious and the veterans of the great national paid with their lives for your freedom.

Madam Speaker, today we flew a flag over the Capitol in honor of Ken Brown. I want to thank Mr. Brown again for his lifetime of dedication to the United States of America and to our heroes, our men and women in the armed services.

#### OPPOSITION TO H.R. 4849

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. BARRETT) is recognized for 5 minutes.

Mr. BARRETT of South Carolina. Madam Speaker, I rise tonight in opposition to H.R. 4849, the Small Business and Infrastructure Jobs Act.

This bill will raise taxes by as much as \$16 billion and will limit business'

ability to expand and create new jobs. This massive tax increase will deal a devastating blow to the Nation's and South Carolina's already struggling economy.

Democrats say they are trying to introduce legislation that will help foster job creation; but if that is truly the case, then why does H.R. 4849 place new taxes on companies doing business in the U.S. during an economic downturn?

Eighty percent of the bill's funding goes to growing State and local governments, which we all know will not solve our Nation's abysmal unemployment rate. Our Nation's economy is already on life support, Madam Speaker. We cannot afford to enact any legislation that further jeopardizes job creation.

It is time to put an end to excessive taxing and runaway spending. Instead, we should focus on the time-tested principles, such as extending the 2001 and 2003 tax relief provisions which will, just by chance, expire at the end of this year.

Madam Speaker, I came down to the floor this evening because someone has got to stand up for America and small businesses. In fact, there are other places I am really supposed to be right now, but this is exactly where I need to be right now: defending American jobs.

The truth is, this bill will not strengthen our economy or create more jobs. Instead, it will create unnecessary financial hardships for businesses that are already struggling to survive.

For months, Democrats have been pushing job-killing legislation, everything from stimulus to a government takeover of health care. It is time for Congress to stop spending and taxing excessively.

We should start working together on creating viable solutions that create more private sector jobs that our country and especially South Carolina so desperately need.

#### LEARNING THE SMART LESSON FROM THE IRAQ ELECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, as the drama was building towards this body's passage of health care reform this week, many of us may have forgotten that Friday was the seventh anniversary of the invasion of Iraq. It has been 7 years since we were assured that Americans would be greeted as liberators from the moment they touched down in Baghdad; 7 years since we were told democracy in Iraq would blossom naturally, like spring flowers; and 7 years later, with more than 4,300 Americans having been killed and hundreds of billions of taxpayer dollars wasted. The truth remains: the simple act of self-governance is still a life-threatening proposition in Iraq.

To be sure, in the recent parliamentary elections many Iraqis once again

showed enormous courage by going to the polls amidst violence and unrest. The problem is that it is hard to call a democratic election a success when citizens are taking their lives into their hands just to exercise their most basic democratic right.

Despite the resolve of so many Iraqi citizens, the fact is that voter turnout declined from the last national election in the year 2005.

The New York Times described the atmosphere as one of a country under siege, noting that, and I quote, "Iraqis prepared for the election the way that Americans do when battening down for a hurricane." Not exactly the festival of civic pride we normally associate with an election day.

As it is, even before Iraqis voted, this election was marred by chaos, disputed candidacies, corruption, arrests, even assassinations. Jon Stewart on the "Comedy Channel" joked that to call this election a success with just a "few" candidates assassinated is setting the bar pretty low.

What is really unsettling, Madam Speaker, is that there was a pretty aggressive propaganda campaign to convince us here in the United States that election-related violence wasn't really all that bad. In public, top military brass told us not to worry our "pretty little heads," that there were hardly any incidents at all. They dismissed journalists who had witnessed the carnage.

But then someone leaked to the news media the real story, the military's internal numbers: 37 people killed as part of 136 attacks in conjunction with the elections.

And the disputed outcome of the elections could mean that the worst is yet to come. With no clear winner, and with accusations of fraud and vote-rigging being thrown around, we could see an aggravation of ethnic rifts in Iraq, some of the worst sectarian violence in Iraq to come since the inconclusive 2005 elections.

Complicating matters is the electoral strength shown by the followers of the radical cleric Moqtada al-Sadr, because the Sadristes despise the American occupation, have a history of violent nationalism, and enjoy ties to Iran.

I can't help but wonder if we had implemented the principles of what I call "SMART security" a long time ago, maybe it wouldn't be so dangerous just to cast a ballot in Iraq. If we had deployed fewer soldiers and more democracy-building experts; if we had fired fewer guns and had emphasized greater diplomacy and reconciliation, then maybe Iraq could have a genuinely peaceful and successful election.

We cannot learn the wrong lesson from the violence surrounding the Iraqi election. We cannot delay the planned redeployment of our combat troops out of Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.



(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HELP CUBA BE FREE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, last week the Cuban tyranny sunk to an all new low as the communist thugs brutally attacked a procession of mothers, daughters, and wives of Cuban political prisoners collectively known as the Ladies in White, Las Damas de Blanco.

Their crime? Walking. Walking to commemorate the seventh anniversary of the dictatorship's March 2003 crackdown against human rights and pro-democracy activists, a grim event known as the Black Spring.

Many of those imprisoned at the time continue to languish in squalid jail cells and endure unspeakable suffering at the hands of their oppressors.

The processions of the Ladies in White was led by Reyna Luisa Tamayo, whose son, Orlando Zapata Tamayo, died only a few weeks ago at the hands of the Castro regime. Carrying flowers and wearing their white clothing as symbols of peace, they were suddenly and viciously confronted, beaten, and some temporarily detained by agents of the dictatorial regime.

Reyna described the confrontation, explaining, and I quote, "They dragged me. I am all bruised. They beat me. They cannot be forgiven."

Further reports indicate that nearly one-third of the Ladies in White marching that day had to seek hospital treatment for the attack. The cowardice of the regime's agents could not be more obvious in the wake of this attack.

Confronting the nonviolent actions of these women in such a vicious and hateful manner makes it clear: the dictatorship fears these women because the regime officials fear the truth.

The repression by the regime knows no boundaries. Now they are even attempting to deny the people of Cuba the right to mourn the loss of their loved ones.

For anyone who had doubt, these attacks make it clear: the regime has no conscience. There is no limit to its abuse and its indecency.

I was pleased, however, to see the European and the Chilean parliaments deliver strong statements of condemnation and reproach following the regime's actions last week. However, responsible nations must do more.

The newly inaugurated president of Chile understands this moral obligation. He recognized the suffering of the Cuban people, that it must come to an end, and that free nations must lead the charge. President Sebastian Pinera said, and I quote, "The government of Chile will do everything it can so that

in Cuba there is a process of peaceful recovery of democracy and a full restoration of respect for human rights and individual freedoms."

But where is the rest of the world? Why are regional leaders silent on the regime's gross human rights violations in Cuba and the abuses of power? Where is the Organization of American States? On the wrong side of history.

It was almost 1 year ago when the OAS voted to reincorporate the Cuban tyranny into the Inter-American system. What a mistake. The United States made a mistake then by shepherding such an effort.

But it is not too late to do the right thing by the Cuban people and take up the cause of freedom for the island nation. The U.S. Ambassador to the OAS should immediately call for consideration of a resolution condemning the tyranny in Cuba for its attack on the Ladies in White and demanding that all political prisoners be immediately released.

The U.S. should call on the Inter-American Commission on Human Rights to immediately convene a meeting to hear testimony on the systematic violations of human rights and the universal freedoms by the Castro dictatorship.

The U.S. must request an investigation by the Special Rapporteur for Freedom of Expression in our Western Hemisphere on the assaults of independent journalists.

It is time for the world to admit the full brutality of the butchers in Havana and to provide the people of Cuba the solidarity and the support that they deserve. It is time for the people of Cuba to have the rights and liberties they deserve and for which they fight every day.

Let this Congress pave the way, Madam Speaker. I ask my colleagues to support H. Con. Res. 252, a resolution I introduced to recognize the life of Orlando Zapata Tamayo, and calling for a renewed focus on the promotion of human rights and democracy in my native homeland of Cuba.

□ 1715

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments a bill of the House of the following title:

H.R. 1586. An act to impose an additional tax on bonuses received from certain TARP recipients.

#### IN RECOGNITION AND SUPPORT OF COLORADO GEAR UP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. POLIS) is recognized for 5 minutes.

Mr. POLIS. Madam Speaker, I rise today in recognition and support of Colorado GEAR UP because college access and success is more critical than ever for making our economy strong and competitive and to give every child the access to the gateway of opportunity that an education provides.

Each and every day, Colorado GEAR UP helps us meet the President's goal to lead the world in college graduates by 2020. It prepares our State's low-income students for college. It's funded by the U.S. Department of Education and managed by the Colorado Department of Higher Education. Unfortunately, way too many students are left behind across the country, both in secondary and postsecondary education. Designed to increase the number of low-income students who are prepared to enter into and succeed in postsecondary education, GEAR UP provides 6-year grants to States and partnerships to provide services at high-poverty middle and high schools, and funds are used to provide college scholarships.

Colorado GEAR UP's vision is to engage, encourage, and enable Colorado's low-income students, including first-generation college-goers and new immigrants to get on a pathway to college so they can reach their potential and pursue their dreams. With its current grant, Colorado GEAR UP has served over 2,500 students in 8 middle schools and 12 high schools across Colorado.

Colorado GEAR UP is an effective tool for helping students to close Colorado's Achievement Gap by preparing students to meet rigorous expectations and to level the playing field for Colorado's low-income students. Beginning in the seventh grade, Colorado GEAR UP selects cohorts of students in 10 middle schools and 8 school districts Statewide. Pre-collegiate advisors follow their students through high school, where they empower students and families with the information, resources, academic, and cultural support that they need to finish high school and enroll in college.

A vital element of the program is the connection between students and their advisors. Advisors have a lower student-counselor ratio, and meet with their students at least twice a month. If a student is struggling academically, culturally, or socially, the counselors meet with the student even more often than twice a month. Data drives the programmatic decisions. They enter all data about meetings in a data base and they provide monthly reports to the principals of the school. Colorado GEAR UP also measures success through an annual online student survey that takes place each spring.

The Colorado GEAR UP model focuses on college and career exploration, exposure, and experience. Students participate in monthly college knowledge workshops. They visit college campuses. They learn about different kinds of degrees and different kinds of financial aid that might be available to them. Juniors and seniors use the GEAR UP online college portfolio as a navigation tool to help them with their college selection process, the admissions process, and financial aid. In 2008 and 2009, more than 80 percent of Colorado GEAR UP students understood the financial aid options, compared to 30 percent of their peers.

Colorado GEAR UP has partnered with community colleges and 4-year institutions to offer concurrent enrollment courses as early as the second semester of their sophomore year in high school. This allows students to take courses for actual college credit while they're still in high school. Not only are Colorado GEAR UP students taking advantage of college coursework, they're succeeding. This past fall, 80 percent in the GEAR UP junior cohort completed at least one college course, and 77 percent received at least a C or better in a college course while they were in high school.

As a result of their participation, Colorado GEAR UP students will enter college with a significant amount of college credit, and some may even earn an associate's degree. As students go onto college campuses, GEAR UP partners with the institutions to continue to track progress and make sure that the students have the support services they need to succeed at college.

I want to share with you what some students say about Colorado GEAR UP. "GEAR UP is an opportunity to achieve an education. It just makes a person realize about the real world. GEAR UP is there to make it a little easier," said a tenth-grader from Pueblo East High School. A tenth-grader from North Ridge High School said, "GEAR UP means opportunity to me. It means a chance to go to college and succeed in my life."

Moving forward, Colorado GEAR UP plans to expand to serve even more students across Colorado. This program's performance clearly demonstrates that students can be successful in early college initiatives, can succeed at a 4-year university, given the proper guidance and support and opportunities. Early college experience can even save money by preventing students from dropping out of high school. That's why I applaud Colorado GEAR UP as a national model for innovation and effectiveness in expanding college access for low-income students and first-generation college goers, and I strongly support its continued expansion and success.

#### CONGRATULATING EVAN LYSACEK

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. Madam Speaker, I rise today to congratulate Evan Lysacek, the 2009 Men's World Figure Skating Champion and the 2010 Olympic gold medalist. What a feat. Evan started figure skating as a young boy in Naperville, Illinois, a town located in my district. He attended Neuqua Valley High School, where he was on the honor roll and earned many other academic achievement awards while still maintaining a very intense training schedule for figure skating. His discipline and focus certainly paid off. Evan won several titles and championships at the junior level before making his senior international debut at the age of 19. Evan has competed and medaled in several United States Figure Skating Championships, World Figure Skating Championships, and the 2006 Winter Olympics before his thrilling gold medal win at the 2010 Winter Olympics in Vancouver. But he is more than an accomplished figure skater. Word has it that Evan finds time in his grueling schedule to support a variety of charities, including the Ronald McDonald House Charities, the Make-a-Wish Foundation, and the Special Olympics.

I am proud to say that Evan Lysacek and his family call the 13th District of Illinois their home, and I would like to extend to him my congratulations and wish him the best as he takes on his next challenge—"Dancing with the Stars"—which premiered this week.

#### RESPECT THE INSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE from Texas. It's always a historic pleasure to be able to sign legislation that can change millions of lives. It is a rare opportunity for Members of Congress, no matter how long they may serve, to be able to serve the people and then to be able to grant the people privileges that they would not have had but for the acts of this Congress. So I stand here today very proud of the fact that just a few hours ago, the President of the United States, the Vice President of the United States, the Democratic leadership and Members, signed legislation that would provide opportunities for 32 million Americans. Polling over the last 24 hours have characterized Americans as enthusiastic, uplifted, and happy. Quite contrary to some of the unfortunate drama that played out over the last 3 or 4 days as we were debating on the floor of the House.

Today, in Roll Call, a local Hill paper, the headline reads, "House decorum is fraying." It cites a comment about House Democratic leaders may have lost control of this body. I beg to differ with them. They are wrong. This institution is sacred and the House Democratic leadership maintains that

sacredness. But, tragically, those who differed with us took to tactics that I believe calls for an apology by the Republican leadership—the actions of Members on the balcony that were beyond the pale; holding up posters that denigrated House leadership on the balcony of the United States House of Representatives; signs that were inappropriate.

Certainly, I have no control, and welcome the First Amendment rights of anybody, including the protestors. Interestingly enough, more than a hundred thousand had gathered on Sunday for immigration reform. Polite, orderly, respectful, and getting their point across. But lo and behold, there were some who decided to disrespect this institution. And I'm offended. Yes, there can be cheers. There can be boos. We do that. It is the order of the day. But to call out words that are offensive to our fellow Members is unacceptable.

I rise today calling on our leadership to ask for an apology from the minority and to have a review and an investigation—that's a too harsh word—but a review of the actions of those who decided to hold signs and I believe disrespect the institution.

So we're not losing control of this body. Individuals may have acted inappropriately. But I will assure you that the debate that was carried on by Democrats were on the issues, albeit you may have agreed or disagreed. It was respectful. And we won the vote. Thank God, we won it on behalf of the American people. But they are my friends on both sides of the aisle. I claim them. But the point is that this kind of behavior is unacceptable and offensive. We must learn that there are some things more important than our individual opportunity to express ourselves as Members of Congress outside of this body. It is the institution and the respect that it's held over the years for the institution that is known as the most powerful lawmaking body in the world. We are owed, then, the duty and responsibility of acting like we have the respect for this body. If no one else does, we need to have it.

Madam Speaker, the behavior was unacceptable. The behavior was without description and without comparison. And I'm offended by the insults to the Democratic leadership. They've got tough skins. But it's not Democratic leadership. It is the Speaker, the Majority Leader. It is the majority whip, the majority chairperson of the Democratic Caucus. It is the vice chairperson and a variety of leaders. Not one did I see on a balcony holding up any untoward message that would have offended the minority.

The time comes now when we'll take back this House in a way that all of us can respect this institution. I'm grateful that we had the courage to do what was right for the American people.

## DEMOCRAT SPENDING SINCE TARP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Well, you know, Madam Speaker, I was watching television today and I saw that the President was down at the White House signing the new health bill, and he was getting all kind of applause and everybody was just having a big time. Something like 61 or 62 percent of the American people are wondering why, because what they passed was something that the vast majority of Americans don't want.

So, tonight, I thought I'd come down here. I don't want to rain on the President's parade but I would like to talk just a little bit about what they're doing to America, because I think it's really important.

□ 1730

I know, Madam Speaker, I can't talk directly to the American people. But if they were listening, I would like to just tell them a few things about what's been going on since this guy took office—oh, excuse me—since the President took office.

In January of '09, they spent \$73.3 billion on the State Children's Health Insurance Reauthorization. A lot of people said that was necessary, but it was still \$73 billion. February 9, a month later, they passed the stimulus bill that was going to create jobs and keep unemployment below 8 percent. That was \$1.16 trillion with interest, and that was not successful in keeping the unemployment down. In fact, it went way above 8 percent, over 10 percent. It's now down a little below 10 percent, but nevertheless, it's still up there much higher. But we spent \$1.16 trillion on that. Now I can't tell you how many zeros are involved in that, but you'll figure it out, America—if America were allowed to listen to me, Madam Speaker. They'll figure it out when they start seeing all this extra cash flowing around that's going to depreciate the value of their money. Then on February 9 also, they passed the omnibus bill, the same day that they passed the stimulus bill. But that wasn't much. It was only \$625 billion, a little over half a trillion. And then in June, they passed the defense supplemental, which was necessary. That was \$106 billion, but they had scads of pork barrel projects in there that the President said he would not tolerate. Then in December the President passed the omnibus bill, the consolidated appropriations omnibus bill, and it was only \$3.554 trillion.

We don't have this money. We just don't have it. We're digging a hole that you just won't believe how hard it's going to be to get out of it. Nevertheless, the spending goes on, and on, and on, and on, and I'm hoping that America wakes up and realizes what's going on before it gets so bad that we have hyperinflation and interest rates that

go out of sight because they'll try to control inflation that way, like they did in the early 1980s, and we see taxes going through the roof. And in addition to that, the things I just mentioned, they passed cap-and-trade through this body, which was \$846 billion—almost another trillion—but it's still languishing in the Senate. But after the President's victory and the signing of the health care bill today, I'm sure he's going to try to ram that dude through too.

And the health care program that they passed today that they said was going to end up saving us money—I mean, listen to this: They say we're going to have 32 million more people that are going to be insured, and it's going to cost less. I want everybody to figure that one out. How can you insure 32 million more people and spend less money? If you can figure that out, I'm going to get you a job as Houdini's assistant. It just isn't going to happen.

As a matter of fact, the cost of the health care bill is going to run at least—at least \$1.5 trillion to \$3 trillion. The gimmick they're using to try to make it look good is they're going to start taxing us for right now for 10 years, but the health coverage—most of it doesn't start until 2014. So you're paying 10 years of taxes for 6 years of coverage, and that makes it look like they're staying below \$1 trillion. But when you put the pencil to 10 years of taxes and 10 years expenditures, you're looking at something like close to \$2 trillion. And I believe it's going to end up costing a lot more than that. All these government programs they talk about that are going to cost so little always end up costing more, always create more bureaucracy and always ends up hurting this country and the future generations.

So I would just like to say, Madam Speaker, if I were talking to America tonight, remember what happened today, remember what our colleagues on the other side cheered about 2 days ago, remember what it's going to do to you and your kids and your grandkids because there's an election coming up in 2010 in November. And the people need to be aware of what's happened and what's happening. We are moving toward a socialistic approach in government—not free enterprise that made this country great—but socialism. And America needs to be aware of it.

To: Congressman Dan Burton

From: Legislative Staff

Date: January 12, 2010

Subject: Democrat Spending Since TARP

Enacted into Law:

Oct 08—Emergency Economic Stabilization Act (TARP Bailout)—\$700 billion

\$296.4 billion—Federal spending from the financial crisis bailout fund before Jan. 20, 2009.

\$173 billion—Federal spending from the financial crisis bailout fund after Jan. 20, 2009.

\$165 billion—Amount of bailout funds repaid by banks and automakers.

Jan 09—State Children's Health Insurance Reauthorization—\$73.3 billion

Feb 09—American Recovery and Reinvestment Act (Stimulus)—\$820 billion + \$348 billion (Interest) = \$1.16 trillion

Feb 09—Consolidated Appropriations for FY 09 (Omnibus)—\$410 billion + \$215 billion (interest) = \$625 billion

June 2009—FY 2009 Defense Supplemental—\$105.9 billion (Exceeded the President's original request by \$20.9 billion or 24.6%)

Dec. 09—Consolidated Appropriations for FY 10 (mini-Omnibus) = \$3.554 trillion

Passed by the House but not enacted:

June 2009—Cap and Trade—\$846 billion in new taxes

Nov. 2009—Proposed Government-run health care program—estimates range from \$1 trillion to \$3 trillion

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. LANCE) is recognized for 5 minutes.

Mr. LANCE. Madam Speaker, I rise to discuss the health care legislation that has just been signed into law and to discuss the state of the American economy and, in particular, the state of Federal spending and Federal debt. Regarding the health care legislation that the President signed into law today, it was unanimously opposed on our side of the aisle; and in my case, it was opposed principally as a result of what I believe is a fiscally irresponsible approach. Certainly we need to reform health care in this country, and I was supportive of a proposal that permitted the purchase of policies across State lines, major medical malpractice insurance reform, making sure that young people have the opportunity to stay on their parents' policies until their mid-twenties, and the pooling of small businesses together. I think that this would have been an approach that would have received wide bipartisan support.

However, the bill that became law today is not balanced over the next 10 years. The Congressional Budget Office reported over the next 10 years that this does not include spending for the so-called doctors' fix that is roughly \$200 billion, and there is no one on either side of the aisle who believes that we will not engage in that appropriate expenditure. In other words, if that were included in the cost over the next 10 years, the bill is not revenue-neutral. It is in the red.

There was an interesting op-ed piece in The New York Times on March 21 by Douglas Holtz-Eakin, formerly the director of the Congressional Budget Office. Mr. HOLTZ-EAKIN is widely respected on both sides of the aisle. The

Congressional Budget Office, obviously, is nonpartisan in nature. And what he states is that unless there is a realistic assumption of what is going to occur, then there cannot be a realistic assumption of the total cost involved. He states, "Fantasy in, fantasy out." And the first gimmick he sites is the fact that "the bill front-loads revenues and we back-load spending." In other words, revenues increase over the next 10 years, but the spending does not increase until 4 years from now—10 years of revenue increases as opposed to 6 years of spending. This can only occur once, and moving forward into the second decade, of course that will not be possible. This is an excellent example of why over the first decade, the health care bill is not deficit-neutral. It, in fact, is in the red, something that should be of concern to all Americans.

This is an example of a larger problem in this country. The larger problem in this country is that we have a \$12 trillion debt, and that debt is rising rapidly. Last year, our annual deficit was \$1.42 trillion. This year it is expected to be \$1.6 trillion, the highest annual deficit as a percentage of gross domestic product since 1945, at the end of World War II. Over the course of the next 4 years, debt will increase dramatically, and I urge the Obama administration to begin to address this fundamental issue that really confronts us as a Nation and certainly confronts the next generation.

Moody's, the rating house, has indicated that it is not clear that we will be able to retain our AAA bond rating. And this, of course, would be tragic for the American people, tragic for our taxpayers, and indeed, tragic moving forward, making sure that America remains in its position of preeminence in the world. Moody's cites three different criteria as to whether it will reduce the AAA bond rating of this country. First, the amount of debt we are taking on, and of course that includes not only debt here at the Federal level but also debt at State and local levels as well. We are taking on enormous debt, as I have indicated. So that's not a good sign. Then of course whether or not Federal deficits will increase over the next decade and as a percentage of gross domestic product. This is the highest it has been since the end of World War II.

Moody's is also watching another factor to see whether we borrow less in the future and whether or not we raise taxes, which I oppose, or cut spending or both. Moody's is looking at that. Certainly we should engage in fiscal responsibility in a way moving forward to get our fiscal House in order.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. BARTLETT) is recognized for 5 minutes.

(Mr. BARTLETT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### FEDERAL GOVERNMENT TAKEOVER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

Mrs. BACHMANN. Madam Speaker, I would like to congratulate the President today. Mr. President, you are halfway there. With the President's signature on the health care bill today, the Federal Government has now taken outright ownership or control of 50 percent of the American economy. The President can rightly say that he has transformed America. Since the inception of bailout nation in September of 2008 with the passage of the \$700 billion TARP bailout, the Federal Government lollapalooza takeover began and was under way.

Madam Speaker, President Obama fully embraced the \$700 billion bailout plan during the first of his Presidential debates with Senator JOHN MCCAIN. During December of 2008, President-Elect Obama insisted that outgoing President George Bush release billions of dollars to create the automobile task force for the purpose of preventing General Motors and Chrysler Motors from filing for bankruptcy. But like most government interventions, the billions spent on the auto companies did not prevent bankruptcy, but it did provide a gentler landing for the unions who worked so hard to elect President Obama.

Banks were bailed out, and the great Wall Street investment houses, including Goldman et al., turned themselves into banks to be eligible for government-subsidized TARP funds. Soon the Federal Government turned its dividend-paying shares into equity shares, and government became the outright owner—the shareholder of America's largest banks. Next came the unholy bailout of AIG, the largest insurance company in America. A sponge for taxpayer money, AIG held toxic derivatives, and they've yet to right their ship.

The Federal Reserve bought massive, copious reams of toxic commercial paper from private corporations, and the Federal Government's balance sheet forever changed, subsidized by the American taxpayer. Freddie and Fannie, the secondary mortgage purchasers, were the center of the universe for the financial meltdown. Foolishly they pursued a policy of purchasing substandard loans, then repackaging those loans into mortgage-backed securities. Freddie and Fannie greedily spread their economic cancer throughout the financial world, exposing America's taxpayers to potentially trillions of dollars of losses. Freddie and Fannie should have been shuttered. They should have been placed into receivership. But Uncle Sam, ever the chump, couldn't resist, and now Uncle Sam owns 50 percent of America's home mortgages.

Eager for more, the Obama administration consumed the student loan in-

dustry, and they completed that transaction today with a signature of a pen. A breathtaking 33 percent of the private economy was either outright purchased or controlled by the Federal Government in a span of 10 months' time. But the brass ring of government-controlled health care still taunted this administration. Eighteen percent of the private economy, the finest health care the world has ever known, was the long-sought-after prize of the political left.

Today they realized their dream. At the 11th hour this morning, President Obama, with the signing of his name, completed the Federal Government takeover of health care. Madam Speaker, 33 percent plus 18 percent equals 51 percent of the private economy today controlled or owned by the Federal Government. It is fitting on this momentous day that we pause for a moment of silence and lament the passage of half of America's economic freedom. In a stunning 18 months' time, for the first time in America's history, the Federal Government now owns or controls over 50 percent of the private economy. Madam Speaker, I say congratulations, Mr. President. You are halfway there.

□ 1745

#### THE THIRD FRONT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, I bring you news from the third front. We have the front that America is engaged in war in Iraq, we have the front in Afghanistan, and I bring you news from the silent third front in that nobody talks about it, and that is the southern border of the United States with Mexico.

The inconvenient truth is there is a border war brewing on our southern border, and America needs to be aware of what is taking place and not ignore the obvious. The Texas border sheriffs and the sheriffs' coalition from Brownsville all the way to San Diego talk about the problems that are increasing on the border, and it is violence. It is the organized crime cartels, the drug cartels that are bringing violence to the border area on both sides of the border, on the Mexican side and on the American side, and it is only going to get worse.

I want to talk about a specific incident that is taking place between two drug cartels, the Zetas and the Gulf drug cartel. They are operating in Mexico in several places, but one of those places is Guerrero, Mexico, right on the border between the United States and Texas—or, rather, between Mexico and Texas. It is near a place called Falcon Lake.

Falcon Lake is a man-made dam, and the lake is as a result of that dam. On the southern side of Falcon Lake is

Guerrero, Mexico. Six thousand people live there. On the northern side in the United States is Falcon Heights, and Zapata County and Starr County are located there.

Yesterday in Guerrero, Mexico, eight buildings were burned to the ground by the drug cartels, the reason being the owner of those eight buildings was a Zeta, and he switched sides to the Gulf drug cartel and, in retaliation, the Zetas burned down eight of his buildings that he owns or controls. The problem in Guerrero, Mexico is so bad that law enforcement in that Mexican town have told people, Do not leave your homes today, because they expect violence to erupt today, tomorrow, or this weekend between the two cartels fighting over, as we say in the United States, turf, but what they say in Mexico is "la plaza," fighting over control of that area.

Good folks on both sides of the border live in fear because of the violence, because of the crime, because of the drug cartels. And while we talk about health care, we need to talk about the health of Americans who live on the U.S. side of the Mexican-American border and the health of people who live on the southern side as well.

The Texas sheriffs are very worried about what is taking place because the drug cartels have more money. They outgun Americans, they out finance us, and of course they have better equipment than the U.S. sheriffs do.

The Secretary of State today is down in Mexico City talking about how we can spend more money under the Merida Initiative, the billion dollars we gave Mexico to secure the border on that side. We ought to be talking about, as the sheriffs in Texas say, spending money on our side of the border to protect and reinforce the border on our side because, sooner or later, violence will erupt into the United States.

In Guerrero, Mexico, they are expecting a violent fight between these two drug cartels any moment, any day, fighting over this turf. You see, the Zetas are running out of money and they need more money, and so the way that the Zetas are going to finance their operation is to kidnap people; the plan apparently being, from what I understand, to kidnap teenagers who have wealthy parents and hold them for ransom until that money is paid. Hopefully, that does not occur, but we will see.

This is just one area along the vast border between Mexico and the United States where violence continues to erupt and where we need to be in control of our own borders. The Texas Governor has asked for troops on the border, and he has been denied that. It is the first duty of government to protect the dignity of the United States and secure the border and not just talk about the fact that the border needs to be secure.

People have a right, who live on the border, to live free from criminal car-

tels coming in and committing violence against Americans, and our government better uphold the first duty of government, to protect American citizens. This is today's news from the third front on the Texas-Mexico border.

And that's just the way it is.

#### FREEDOM FOR THE CUBAN PEOPLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 60 minutes as the designee of the minority leader.

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, we have had a number of interesting debates in the last year, last few weeks in particular. One of the things that we should never forget is how precious freedom is and how frail freedom is. Just 90 miles away from our shores at this very moment, at this very instant, there are people who have been enslaved for over half a century under the boot of the same oppressive regime, the dictatorship of the Castro brothers. Half a century of brutality.

Just last week marked the seventh anniversary of the beginning of what was known as the Black Spring in Cuba. The Cuban Black Spring in 2003 was where 75 human rights activists, independent journalists, librarians, economists and other peaceful, pro-democracy activists and leaders were jailed for expressing their desire for democracy and democratic change in Cuba. All of them were sentenced to up to 25 years in prison in the worst possible conditions, in the worst possible prisons. Now, that is just some of the thousands of heroes who are standing up for freedom in the enslaved island of Cuba.

The majority of this Congress for many, many years has always stood with the Cuban people, has stood in solidarity with the Cuban people and their struggle for that freedom which is inevitable but has cost so dearly for so long. I have a lot to talk about on this issue, Madam Speaker, but before I proceed, I, frankly, am deeply honored to be able to yield time to an individual who has been a leader in this Congress for issues of freedom, a leader in this Congress who has always been speaking out for the oppressed wherever they may be, but who is so well known by the dissidents, by the opposition leaders, by the pro-democracy leaders in Cuba because his name rings as freedom for the Cuban people who have been enslaved. So I yield to the gentleman from Indiana, because it is a privilege to be able to share tonight with a person who everyone in Cuba—and there are those Cubans who live in freedom, whether it is in the United States or other parts of the world—recognizes this gentleman, DAN BURTON from Indiana, as a fighter for freedom.

Mr. BURTON of Indiana. Wow, I really appreciate you saying that, because

when I think of people who are really fighting for freedom in Congress regarding Cuba, I think immediately of LINCOLN and MARIO DIAZ-BALART. You two have been real stalwarts and are very eloquent. We are certainly going to miss LINCOLN when he retires after this year, but I know that he will continue to fight for freedom and democracy in Cuba. And ILEANA ROS-LEHTINEN has been a real fighter, too. I appreciate all three of you and what you have been able to do. You worked so hard to help us get the Helms-Burton bill passed several years ago which dealt with the Cuban issue.

The thing that bothers me the most is, as you said, Castro has been in power down there for over 50 years. When he first came into power when the revolution took place, I remember there were a lot of people in America who thought he was going to be the savior of Cuba because Batista, who was the dictator down there, was supposed to be so bad; but they didn't realize while Batista might have been a problem, Castro was an absolute disaster. He came in and started killing a whole bunch of people and started imposing his communist philosophy and putting people in prison for huge periods of time.

There is a book that I read, "Against All Hope" by Armando Valladares. I know you both know him. When I read that book, I was on a plane. And he was in jail for, I think, 25 years only because he took issue with the communist approach to government in Cuba. I was on the plane, and when I got to a part of it I started to cry and the guy next to me thought something was wrong with me, and I assured him there wasn't and I told him about the book, and he said, I am going to have to read that myself. But I would say to anybody in their offices tonight that might be watching, I hope that you get a chance to read "Against All Hope" by Armando Valladares because it will tell you how bad it really is. I think last week or the week before, we had a person who had a hunger strike. I can't remember his name right now.

Mr. MARIO DIAZ-BALART of Florida. Yes, Orlando Zapata Tamayo, who died in prison as a political prisoner on a hunger strike.

Mr. BURTON of Indiana. He went on a hunger strike and he ended up dying because he was protesting the terrible treatment and the people who are incarcerated for nothing other than opposing communism, and he died in his fight for freedom. That is just unbelievable. Castro continues to keep people incarcerated for huge periods of time without any real charge against them except they don't agree with communism.

So, tonight, I am adding my support to LINCOLN DIAZ-BALART and MARIO DIAZ-BALART in their Special Order because Cuba should be free. It is only 90 miles from our border. Most of the people down there yearn to have their freedom and the democracy we have

here in the United States. Instead, they live in abject poverty and drive cars that are 50 years old because of the economy down there. If they work and the company they are working for is paid in dollars, that money has to go to the government and they are paid in pesos, which are worth almost nothing, and so people are kept in abject poverty with no hope except to continue to live that way.

So I hope and I pray that there will be freedom and democracy in Cuba. I hope it will be before too long. I hope that people like President Chavez in Venezuela will stop giving support to the Cuban communist government. And if there is anything that the United States can do to stop Mr. Chavez from buoying up that government, I certainly want to see us do that, because he is absolutely committed to not only keeping Cuba a communist country, but spreading communism throughout Central and South America.

But as long as the Diaz-Balart brothers are willing to fight and as long as ILEANA ROS-LEHTINEN is willing to fight, I will be glad to carry their bags, because Cuba should and must be free. And one day Cuba will be free. And when it is free, we are all going to go down there and I am going to let the Diaz-Balart brothers buy me a margarita and we will all celebrate together.

Viva Cuba libre.

Mr. MARIO DIAZ-BALART of Florida. I thank the gentleman for his steadfast support for freedom.

I am going to approach the well because I want to show some pictures on some boards of some individuals that I want to briefly talk about.

Madam Speaker, the gentleman from Indiana just mentioned Orlando Zapata Tamayo. This is his picture here. He is a 42-year-old plumber and bricklayer in Cuba. He was arrested and thrown in prison, a peaceful pro-democracy advocate. While he was there, he was constantly being beaten and beaten and beaten, which is not unusual treatment for how that regime treats its political prisoners. It has hundreds upon hundreds upon hundreds of political prisoners.

So in order to protest the beatings against him and the inhumane treatment of all of the other political prisoners and to highlight the cause of freedom, the cause of freedom that so many are struggling for and are suffering so thoroughly for, he stopped eating and went on a hunger strike on December 3. Again, he continued to suffer from that brutality.

He had been arrested in 2003 during the Black Spring that I mentioned. Again, he was a person who had been declared a prisoner of conscience by international organizations like Amnesty International. So he went on this hunger strike, and after 80 days, 80 days, he passed away. He passed away because he refused to give up on the cause of freedom, and he refused to ac-

cept, as a normal everyday occurrence that should be accepted, the fact that the political prisoners should be beaten, mistreated, or incarcerated at all.

□ 1800

Let me also put up this poster now. This poster is of Orlando Zapata Tamayo's mother. What she is holding up here is the bloodied T-shirt of her son. That's the kind of beatings that he was receiving in prison as a political prisoner, as a prisoner of conscience, as a peaceful man who was just asking for freedom. And because of that, this is the kind of treatment that he was getting: constant beatings, constant, constant beatings in prison.

And after he died, after Orlando Zapata Tamayo, that hero for freedom that, hopefully, all of us will always remember, because history must remember him for his incredible sacrifice, after that, one would ask, well, is that it? Is the cause dead?

No, because there are other heroes that have come after him like the many heroes that came before. And they will continue to come until Cuba is free. And right after he died, another well-known political prisoner, very well-known activist, a very well-known pro-democracy activist also then stopped eating and went on a hunger strike. He's been on this hunger strike since the 24th of February.

I want everybody to see him. This is a man who's a psychologist; he's a freelance writer. He's on a hunger strike, and he knows what the consequences of that hunger strike may be because he saw what happened to Zapata Tamayo; and he's on a hunger strike, knowing that his fate may very well be the same, that he may give his life so that others will finally wake up and speak out about the horrible atrocities that have taken place just 90 miles away from our shore.

And, again, he says, he has stated that he will remain on this hunger strike until a number of other political prisoners who are—26 of them that are seriously ill, seriously ill—are set free. As you can see by this image, his condition is, well, very fragile. It doesn't take a medical doctor, because I'm not one, to understand that his condition is very, very fragile.

Felix Bonet Carcases, I don't have a picture of him here, unfortunately. But he's an engineer and a former university professor. He has already publicly vowed that he will also go on a hunger strike if Guillermo Farinas were to die on his hunger strike; that he will replace him in the hunger strike until, as he said, the final consequences, to highlight the condition of the political prisoners, to highlight the lack of freedom of the Cuban people, to highlight the fact that that freedom is something that's desired by all, and yet receives so little attention, so little international attention, because where are the international communities? Where are the international groups? Where are they speaking out for the

freedom of the Cuban political prisoners? Where are they asking and demanding elections for the Cuban people? Very few are anywhere to be heard, which is why, now, Felix has also said that he will go on a hunger strike as well, again, I repeat, as he said, until the final consequences.

And the story goes on and on and on. I want to now put up a picture of Jorge Luis Garcia Perez and his wife, Iris Perez Aguilera. He is known as Antunez, by one word; everybody knows him as one word. He was arrested while talking to some friends in a public square. In 1990 he was talking about the lack of freedom in 1990 and he was arrested, and he spent 17 years as a political prisoner, and he was consistently and constantly beaten in prison and yet he never gave up. He never lost faith. And he was finally released in 2007.

And what has he done since his release in 2007? Madam Speaker, he's continued to speak out. Madam Speaker, he's continued to speak out. He's continued to complain and denounce the treatment of the political prisoners and the lack of freedom and demanding democracy for Cuba. And just like he was beaten in prison, he and his wife, another hero, are now constantly arrested and rearrested; and they're beaten and beaten and beaten, time and time again. He's 45 years old, another hero that the American people need to know about.

These are heroes 90 miles away from the United States. Both of these individuals are heroes.

Another hero, Madam Speaker, Oscar Elias Biscet. He's a physician. He's a doctor. He was incarcerated. It started because he refused to perform forced abortions. They actually have forced abortions in the island of Cuba. He has dedicated his life to advancing human rights and democracy in Cuba. He's a medical doctor, as I said, and a total pacifist, a believer in Martin Luther King and in Gandhi, a person, who, again, continues to speak out, even from prison, even after the repeated beatings that he has received time and time and time again. He has been placed in solitary confinement. He has lost many of his teeth. And yet he continues to speak out.

And, unfortunately, where are the international organizations demanding his release?

And I can continue to go on and on and on, and we need to talk about some of these heroes that can never be forgotten, that we need to stand with them, next to them, behind them in solidarity.

But to also speak on this issue and tell us a little bit about it—and I know that he actually even, I believe he spoke, I think the gentleman spoke to Dr. Biscet.

Mr. LINCOLN DIAZ-BALART of Florida. To Farinas.

Mr. MARIO DIAZ-BALART of Florida. To Farinas. I'm sorry. To Farinas who is on a hunger strike recently. To



talk a little bit about that is a person who has dedicated his life to the cause of freedom, who has spent many years in public service, who will, even though he will be leaving Congress soon, will not stop fighting for the cause of freedom everywhere, not only in Cuba, but obviously, also in particular fighting for the political prisoners, for democracy, for the just causes, for the suffering of the Cuban people, and that is the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Thank you. I want to thank Congressman MARIO DIAZ-BALART for convening us here this evening. And, MARIO, if you may, leave Biscet because I'm going to read first a statement he sent out, along with five other heroes on March 3. And I'd like to start by, as I was saying, thanking you for convening us, and by pointing out who the heroes and genuine representatives of Cuba are.

There have not been free elections for many decades, and so the people cannot express themselves. When they are able to express themselves, these heroes and others like them, who, today enjoy the moral authority arising from their conduct, will have political authority. They will be elected at the municipal level, at the provincial level, at the national level as the leaders of Cuba. They are the representatives of the Cuban people.

Dr. Biscet, whose photograph is on top there, and five other heroes, managed to send a statement from their prison. They are in one of the gulags of the Castro brothers, and they sent out a statement on March 3; and I'd like to read it:

We continue to suffer cruel treatment, inhuman, degrading treatment and even torture in the Communist regime's prisons. We ask all who support Cuba's freedom to, between March 12 and March 31, unite in short periods of fasting and study of the Bible, demanding the liberation of all political prisoners and liberty and democracy in Cuba. Please engage in short fasts and prayer sessions in your homes, churches or other public gathering places. And speak out in articles, in conferences, to reflect upon and implement and help implement, through peaceful, just and patriotic means, the long-sought objectives of the Cuban people.

Oscar Elias Biscet, whose photograph is there, Julio Cesar Galvez, Ricardo Gonzales, Normando Hernandez, Tres Iglesias and Angel Moya. Those six heroes sent out the statement that I read.

A few days ago I was able to be in Lithuania, where I was invited to help form the Parliamentary Forum of the Community of Democracies. Over 100 nations belong to the Community of Democracies; and Lithuania, a small country with extraordinary moral authority, is chairing the Community of Democracies, and had the initiative and the idea of the formation of a parliamentary forum. And I was honored to be elected one of the seven vice presidents. The new president of that now-established parliamentary forum, Chairman Zingeris, of the Foreign Af-

fairs Committee of the Lithuanian Parliament, made a motion in the first meeting of the parliamentary forum in Lithuania a few days ago, and drafted a resolution in furtherance of the request of Dr. Biscet and the other heroes. And I'd like to read it:

Resolution, in the convening meeting of the Parliamentary Forum of the Community of Democracies calling for support of Cuba's pro-democracy movement.

Whereas, the pro-democracy movement in Cuba has grown at a rapid pace over the last 3 years, and specific expressions of the movement are evident today in the explosion of bloggers on the island, independent journalists, musicians, artists, writers and others who are using their talents to denounce the atrocities of the dictatorship, all while putting forth new ideas for the transition to democracy;

Whereas there are still extraordinary obstacles to overcome such as the continued repression by the totalitarian dictatorship, extremely limited access to the Internet and texting capabilities and a lack of a coherent message of solidarity from the international community;

Whereas the dictatorship is fearful of the growth of the pro-democracy movement;

Whereas the message of the movement is coherent and clear in demanding freedom for all Cuban political prisoners, beginning with those who are gravely ill inside the prisons, freedom of expression and free, fair multi-party elections with international supervision;

Whereas this common position of the Cuban pro-democracy movement requires greater recognition, dissemination and solidarity on the part of the Community of Democracies;

Whereas now more than ever the Cuban pro-democracy movement requires that the democratic community take concrete steps to demonstrate its solidarity;

Now, therefore, be it resolved that the Community of Democracies Parliamentary Forum condemns the brutality of the Cuban regime against Cuban political prisoners, expresses its full support for the Cuban pro-democracy movement, honors Cuban pro-democracy fighters, such as the martyr, Orlando Zapata Tamayo, and expresses its admiration for the efforts of other heroes such as Guillermo Farinas, calls for the immediate release of all Cuban political prisoners and for free multi-party elections in Cuba, and calls on the democratic community to take concrete steps in demonstrating their solidarity with the Cuban pro-democracy movement by providing humanitarian and technological assistance to the pro-democracy movement, urging foreign diplomatic posts in Havana to strengthen contacts with pro-democracy activists on the island, and encouraging foreign dignitaries to visit Cuba for the sole purpose of meeting with pro-democratic activists, and

looking for opportunities to reiterate and support the common position of the Cuban pro-democracy movement in the international community.

That resolution passed at the convening meeting of the Parliamentary Forum of the Community of Democracies in Vilnius, Lithuania on 12 March 2010.

□ 1815

I see a distinguished colleague of ours. There is no one who I admire more than CHRISTOPHER SMITH, who has joined us.

And before yielding back to you Congressman, MARIO DIAZ-BALART, the floor, I would like to make reference to two items. First, I will put in the CONGRESSIONAL RECORD a list of 25 gravely ill political prisoners in Cuba who are the reason for the hunger strike of Guillermo Farinas, who is in the photograph below Dr. Biscet. Guillermo Farinas is on a hunger strike and has been on a hunger strike for weeks now, as we speak, for the reason that these 25 political prisoners are near death because of grave illnesses. And they are still being held and have received sentences at the order obviously of the tyrant Fidel Castro of up to 26 years of length per sentence simply for calling for freedom, supporting freedom, and democracy.

So after CHRIS SMITH speaks, I will, if it is all right, read the names of these 25 heroes. And then I would like to simply make reference, if I may, to—I received a call—I wasn't able to answer it before coming to the floor—from a reporter from the National Journal, Tom Risen, who, according to my staff, is asking my opinion with regard to the initiative now with the subterfuge, under the subterfuge, of an agricultural bill where they tell the American farmer, This is to help you make sales.

Legislation has been filed to open up what the Castro brothers consider their number one priority, to grant them their number one priority: The billions of dollars in mass U.S. tourism to their system, to their island, where they would then be able to receive the tourists, make sure that the tourists see the Potemkin village.

Mr. MARIO DIAZ-BALART of Florida. If the gentleman will yield on that point.

I think it's interesting to note this legislation that you're mentioning, it was filed on the same day that Orlando Zapata Tamayo died in prison in a hunger strike, the same day where you would expect solidarity, where you would expect somebody to say, What can we do to help those that are struggling, suffering in prison. That same day, some in this Congress filed a bill to unilaterally lift sanctions, asking nothing in return for that day.

Mr. LINCOLN DIAZ-BALART of Florida. And granting the Cuban tyranny its number one priority.

When some colleagues have come to me and said, What is your opinion on the agricultural bill that's been filed? I

said, Do you realize it has very little to do with agriculture? And it is the number one priority of the Cuban tyranny? To receive the countless billions in U.S. tourism unilaterally, thus in exchange for nothing.

The prisoners would continue being tortured, the Cuban people would continue being bound and gagged, being denied their ability to speak, much less have free and fair multiparty elections. For over 50 years that would continue. And the regime would have unilaterally its billions, countless billions of U.S. dollars. That is what that bill is about. It's not about agriculture.

The regime is allowed to purchase American agriculture by U.S. law, agricultural products. Castro has to pay so that the American taxpayer is not then given the bill afterward for billions, countless billions of dollars that he won't pay after he gets the ability to get financing. And if he gets mass U.S. tourism, then imagine the ability to further repress, to further torture, to further denigrate, to discriminate, because the essence of that regime is not only totalitarian regime; it is a racist regime against the Cuban people.

I wish to read the list of the heroes, but I think it's important that we recognize CHRIS SMITH.

Mr. MARIO DIAZ-BALART of Florida. I'm also going to ask you to relay a little bit of the conversation that you had with one of the heroes. We were speaking about how the majority of Congress has always had great solidarity with the people of Cuba.

One of the gentlemen that you most admire—and I knew of him before I got elected to Congress by having conversations with you, and then seeing his record. I also remember seeing a publication. I don't remember exactly what the quote was, but they called him one of the heroes of the oppressed. Not in Congress, just in our country.

And so it's a privilege to have the gentleman from New Jersey (Mr. SMITH). Again, a hero of those who are oppressed, a hero if anyone is struggling in a political prison, in a gulag, for his or her belief. It's a privilege to have you here.

We're talking about heroes and the gulags. We have it easy here because we live in freedom. But we can't forget the struggles of those around the world, including just 90 miles away. I want to thank you for never forgetting, never forgetting those that are struggling like Dr. Biscet who is in there for, frankly, just because he is pro-life. So thank you for being here.

Mr. SMITH of New Jersey. I thank my good friend for yielding.

And I just say to the DIAZ-BALART brothers, MARIO and LINCOLN DIAZ-BALART, you have spoken so bravely and for so long and with such clarity about human rights issues all over the world, including and especially in Cuba. The people of Cuba have no greater friends than you brothers, the DIAZ-BALART brothers. There isn't a single argument, fight, debate, amend-

ment, bill that you, the two of you, are not out in front taking all of the flak, all of the disinformation that is dished by those enablers of tyranny who believe that somehow if you coddle dictatorship, you will see an amelioration of their egregious acts. It doesn't happen. It didn't happen with the Nazis. It has not happened with the Chinese Communist regime. It has not happened in North Korea. And over this last half century, it has not happened in Cuba.

The more you enable a dictatorship, the more of an appetite it has for political prisoners, for repression, because there is no check, there is no tourniquet on their horrific abuse.

So let me say it again. No one has done more on behalf of human rights, especially for the beleaguered Cuban people, than LINCOLN DIAZ-BALART and MARIO. And I've been in Congress for 30 years, so I, along with FRANK WOLF and others, have worked very hard along with you on human rights laws and policies. It is a privilege to be called your friend for your steadfast advocacy. It is incredible.

When you spoke about the travel ban and other associated concessions to the dictatorship in Havana, it seems to me—and I say this to both sides of the aisle—but especially to my Democratic friends, especially to the Congressional Black Caucus that traveled down to Cuba, met with Raul and Fidel Castro, and as far as we can tell, never mentioned Dr. Biscet, never mentioned any of these courageous political prisoners who have been tortured, have been put in solitary confinement simply because of their steadfast belief in human rights and that every man, woman, and child in Cuba ought to live in liberty and freedom.

There is an empathy deficit, a lack of empathy, a lack of compassion. We talk a lot about compassion in Congress. Very often it's just a simple word, a throwaway word that has all kinds of meaning. We need to have empathy to get in their shoes, realize what it must be like to spend hours without a light in darkness, eating worm-infested food, being sick, having diarrhea that seems to never go away, losing your teeth, as Dr. Oscar Biscet is in the process of doing, if he hasn't lost them all already.

This brave man, an OB-GYN, a doctor who stood up for human rights, not one member of the Congressional Black Caucus, to the best of my knowledge, and other members who are always patronizing Fidel Castro, stood up and said, What about him? Why can't we go and see him and visit him in his prison cell? Congressman FRANK WOLF and I have tried for 20 years to visit Cuba to go to the prisons. Every time we're turned down by the Castro regime. We have a pending request right now. We were turned down last February.

Those who go in and sing the praises of these modern day Adolf Hitlers. And let's not forget you take Fidel Castro and Raul Castro and what they have done: Torture, humiliation, execution,

slow and long, sometimes a bullet, sometimes a very slow death. These people, if they were in a free society, not only would be prosecuted, they probably would be in an insane asylum for the kinds of terrible dark deeds that they commit on other people.

I read Armando Valladares' book years ago, and I recommend it to everyone who wants to enable this dictatorship. It's known as "Against All Hope." It's a chronicle of this brave man, years in the Castro gulags. He talks about one instance where in order to further humiliate the political prisoners, they lined them up and marched them into a vat of human excrement, submerged them; and these men, their noses, their eyes, their ears were filled with human excrement. Many of them lost their hearing. Many had eye problems, nose problems and all kinds of infections from it. They smelt horrible.

That very act caused a kind of PTSD in Armando Valladares. Later on when his wife, after he was exiled, upon his release gave birth to children, he couldn't even change his children's diapers because it brought him back in a flash to that terrible, degrading torture that was inflicted upon him by Fidel Castro.

Fidel Castro, ladies and gentlemen, ought to be at the Hague standing trial for crimes against humanity. He is in the same league as Pol Pot, Idi Amin, Slobodan Milosevic, and all of the passing parade of petty tyrants who maim, humiliate, and kill because they have a secret police that enables them to do it.

We call on this administration, the Obama administration, to cease, stop its coddling of Fidel Castro. It is unconscionable, all of the smiles and happy words. This man needs to be dealt with for the tyrant that he truly is. And I'm not talking about just Fidel but his brother as well. These political prisoners need friends in the White House so that some day they can live in freedom.

Mr. MARIO DIAZ-BALART of Florida. Before you leave, though, again, the atrocities are such. I would like, if it is possible, there is a poster there right next to you. It's the last one, I believe. And it shows the women in white. The ladies in white. They're the wives and mothers of, daughters of, spouses of political prisoners. And they demonstrate in Havana. And all they do is very quietly they just march. And it's a demonstration basically asking for a release of their loved ones.

This picture is from last week. That demonstration, that march—it's a march, it's a peaceful, quiet, march—was led by Reina Tamayo, whose son had just died in an 80-day hunger strike in a prison as a political prisoner.

And there you see what happens to those women, peaceful women who just walk quietly, peacefully.

A little while ago I showed the T-shirt held up by Reina Tamayo of her son who died in prison, a political prisoner who died in prison after a hunger

strike. Imagine the beatings. Imagine the beatings that that human being had to endure. Just look at that T-shirt. And look at that mother. Look at that mother and how anybody can then say, You know something? We're going to unilaterally give that regime what they want, asking nothing in return. Why is that happening?

□ 1830

Mr. LINCOLN DIAZ-BALART of Florida. If I may, CHRIS SMITH's point of the fact if there were justice, if there were justice in the world, the Cuban tyrant, Fidel Castro, and his brother, who now has the titles and carries out, continues to carry out the orders of Fidel Castro but has the titles now, some of the titles of power because Fidel Castro, the tyrant, is immobile and finds it difficult to receive people but still gives the orders and is the instigator and the source of terror in that island prison, if there were justice, the Cuban tyrant and his brother would be facing it in the International Criminal Court in The Hague.

What is most appalling is that instead of that, what we see is, number one, deafening silence. We hear deafening silence.

Where is the outrage? Imagine if these were hunger strikers protesting the lack of freedom in another dictatorship. Imagine. But the Cuban people now have had to, for 50 years, live as nonpersons. Where is the media? Where? These are men who are dying. Zapata Tamayo already died. Guillermo Farinas is in the process of dying. Felix Bonne Carcasses has said he will be next. Those are people who we know are on hunger strikes to protest specifically, to request the release of these 25 heroes.

I would like to, if I may, read their names, and then I will submit their names for the RECORD.

Our friend, DAN BURTON and now CHRIS SMITH talked about MARIO and LINCOLN, the brothers. It has been and it is a great honor for me to serve with my brother first in Tallahassee in the legislature in Florida and now in the Congress of the United States. It has been an honor and a privilege, for the rest of my days I will cherish, to represent the wonderful people of south Florida for 18 years in this Congress and 6 years before that in the State legislature.

But there are two brothers who are genuine heroes. Among these 25 gravely ill political prisoners, two are brothers. At one point, four were political prisoners, four brothers. There are still two, and they are gravely ill, both of them, Ariel Sigler Amaya and Guido Sigler Amaya.

The other names of 25 gravely ill political prisoners who we are aware of, and Guillermo Farinas is on a hunger strike demanding their release, their immediate release, the other names are: Antonio Villareal Acosta, Omar Moises Ruiz Hernandez, Arnaldo Ramos Lauzurique, Alfredo Manuel Pulido

Lopez, Arturo Perez de Alejo Rodriguez, Jesus Mustafa Felipe, Angel Moya Acosta, Luis Milan Fernandez, Librado Ricardo Linares Garcia, Juan Carlos Herrera Acosta, Normando Hernandez Gonzalez, Jorge Luis Gonzalez Tanquero, Lester Gonzalez Penton, Ricardo Gonzalez Alfonso, Jose Luis Garcia Paneque, Julio Cesar Galvez Rodriguez, Miguel Galvan Gutierrez, Luis Enrique Ferrer Garcia, also from another family and brothers who are heroes, two of them are political prisoners. Unfortunately, Luis Enrique Ferrer Garcia, one of the two brothers, is gravely ill. Juan Adolfo Fernandez Sainz, Alfredo Felipe Fuentes, Eduardo Diaz Fleitas, Victor Rolando Arroyo Carmona, and Pedro Arguelles Moran.

Those 25 heroes we know of, and the hero Farinas, that psychologist and independent journalist who I had the privilege of speaking with the other day, the day I was leaving for Lithuania, I managed after many attempts to get through to him. Obviously, it's not easy, the dictatorship call. Now he is no condition to speak on the phone. He was very weak, even when I spoke to him. This was about a week ago. And I said, I am very worried about you. You are going to be very needed. And he said, No, don't worry about me. He said, There are many, many more qualified people who will be ready to help give a reconstruct. This has to be done.

He told me all peoples need martyrs, all nations need martyrs, and the time now has arrived for a different—a different attitude by the opposition in Cuba. I was extremely moved during my conversation with the hero, Farinas, and my thoughts and prayers are with him as they are with all of those who at this moment are suffering in the gulag of the tyranny.

Mr. MARIO DIAZ-BALART of Florida. Thank you for relaying that conversation.

The gentleman from New Jersey.

Mr. SMITH of New Jersey. You know, the long-suffering people of Cuba are really in a double unfortunate position. They are subjected to one of the cruelest dictatorships on the face of the Earth. Freedom House recently ranked Cuba as one of the least free countries in the world. The only country that ranked lower on the freedom scale than Cuba was the nightmare gulag of North Korea; yet, in an insane paradox, the Cuban tyrants remain romantic heroes. People have pictures of these tyrants on T-shirts, wear them on college campuses, and for many in the United States, including some Members of Congress, especially those who visited Cuba last year, they gush with admiration for these dictators who have so repressed people.

You know, last year, the U.N. Human Rights Council did what they call the universal periodic review, at which time they looked at the record of human rights abuse in Cuba. It was scathing. Many members of that council raised serious questions at the

council meeting and also said, Here are a number of recommendations. Virtually every recommendation was rejected out of hand, and that was the end of the story.

I would call upon the Obama administration to call, as a member of the Human Rights Council, for a specific meeting of the Human Rights Council, the U.N. Human Rights Council—it only takes a third of the membership to do so—to refocus on Cuba and its horrific human rights abuses and the fact that they have taken every recommendation—I mean, even the International Committee of the Red Cross has been denied since Armando Valladares' day, access to those prisons. The ICRC, a sterling record of investigations and interventions on behalf of political prisoners around the world, they can't even get into the Cuban prisons. So I would call on the Obama administration to ask for a specific meeting just on Cuba and the rejected recommendations.

Let me also point out that chronicling the abuse isn't all that hard. The State Department, in its human rights report released just 2 weeks ago, couldn't be more clear in laying out the catalog of abuses routinely visited upon the people, especially the almost 200 known, and there are others, political prisoners in Cuba's gulags.

Let me finally say, during the 1980s, many of us were very active fighting against the abuses of the Soviet Union. In the mid 1980s, Congressman FRANK WOLF and I actually got into Perm Camp 35, the infamous gulag where great heroes like Sharansky and many others and all these other great leaders spent time in solitary confinement and suffering at the hands of the KGB. We actually got in, visited with videotape and agitated for the release of almost two dozen political prisoners, and one by one they got out.

I visited Xanana Gusmao when he was a political prisoner in Indonesia, in a prison in Indonesia. He went on to become the President of East Timor.

FRANK WOLF and I got into Beijing Prison Number 1, where at least 40 Tiananmen Square activists, 40 Tiananmen Square activists with shaved heads were thrown into that gulag, known as the Laogai in China, and suffered horrifically, but at least the Chinese Government allowed us in.

A lot of people want to get out of Cuba. A lot of people—all people want to get out of their political prisons. Mr. WOLF and I are asking to let us in, and I renew that request of the Cuban Government as well as, again, to ask that this administration help to make that happen.

Finally, my friends will know, because I worked so closely with Mr. DIAZ-BALART—MARIO wasn't here yet—on the issue of linking a series of human rights with the lifting of a travel ban, most important of which was the full release of the political prisoners. That legislation passed here. It didn't pass in the Senate, unfortunately, and I will offer that again if

given the opportunity, although the rules will probably forbid it.

But that's what we need to do. You need linkage. You need to say to a dictatorship, If you want a benefit, you have to cease persecuting your own people. And, you know, there is a great group, we all know it, Brothers to the Rescue. The DIAZ-BALART brothers are the brothers to the rescue.

Mr. LINCOLN DIAZ-BALART of Florida. You are very kind.

Mr. MARIO DIAZ-BALART of Florida. You mentioned Brothers to the Rescue. I think it is important to note that this is a regime that obviously incarcerates, and oppresses its own people, but it also has a history of murdering Americans.

You mentioned Brothers to the Rescue. Two airplanes, American airplanes, civilian American airplanes in international airspace that were shot down by Cuban MiGs one fine day just because, because they could, because they wanted to, killing four individuals, four innocent individuals that, I guess, their sin was trying to save people in the ocean, looking for people that were in the ocean seeking freedom.

And the same regime that killed those individuals is the same regime that harbors multiple terrorists and criminals and fugitives of American law, including cop killers who are living in Cuba; the same regime that right now as we speak, as some will file bills to unilaterally give concessions and asking nothing in return, has another American hostage. That's the regime that we are dealing with.

Mr. LINCOLN DIAZ-BALART of Florida. I thank CHRISTOPHER SMITH for, first of all, his leadership, commitment, clarity. History will thank him, as it must. I reiterate my admiration.

I want to make a comment with regard to political prisoners. We know of these 25 gravely ill political prisoners.

The reason we know is because Guillermo Farinas, the hero on hunger strike, said that's why I am on hunger strike. Release them now before they die. We know of, yes, the names of 200 prisoners of conscience, but we also know that there are thousands of political prisoners for crimes that are only crimes in the fiefdom of a demented totalitarian tyrant, crimes like dangerousness. What is that? Crimes like trying to leave the country without permission.

But imagine being in prison and charged with dangerousness. Thousands, countless thousands of Cubans are in the gulag because of so-called crimes like that. They are political prisoners, and they have to be released unconditionally, immediately, as all political parties must be legalized—the press, labor unions—and free and fair multiparty elections must be scheduled.

Mr. SMITH of New Jersey. The State Department report, the human rights report, released 2 weeks ago again, they can catalog or chronicle 5,000 pris-

oners who are in there because of "dangerousness."

Mr. LINCOLN DIAZ-BALART of Florida. That are known, that are known.

Mr. SMITH of New Jersey. Yes.

□ 1845

Mr. LINCOLN DIAZ-BALART of Florida. So it is thousands of political prisoners, because we know the names of 200 prisoners of conscience; let's not forget the countless thousands of political prisoners.

And you, CHRIS SMITH, and FRANK WOLF, who have not sought to go to Cuba to laugh at the jokes of the tyrants, but rather to meet with Biscet and meet with Farinas and meet with Antunez and meet with the other heroes and the leaders of the future, you were called specifically by name by the Cuban tyrant Fidel Castro "provocateurs who will never enter Cuba."

But what he must, he should, know is his days are limited. And the Cuban people, CHRISTOPHER SMITH, are going to thank you and they are going to thank FRANK WOLF, and they are going to thank all those men and women of the world who stood with them. Obviously, we wish there were many more CHRIS SMITHS and FRANK WOLFS, like there are more, now, people. Look at this example in Central Europe and Eastern Europe of solidarity. And more is coming, but much more is needed.

Mr. MARIO DIAZ-BALART of Florida. I thank the gentleman from New Jersey for spending this time and really explaining what is at stake here.

It is interesting how those who do get it—and again it is important to note that the majority of Congress has stood next and by the Cuban people and continues to stand by the Cuban people, but there are others as well that do. You mentioned the Lithuanians, the Poles, the Czechs, the Romanians. Those who have suffered from lack of freedom understand the frailty of freedom, also particularly understand the horrors of that Marxist regime 90 miles away from the United States, because they suffered under very similar types of totalitarian regimes.

But it is interesting to note, I mention this again, that this Congress in a bipartisan fashion stands by the Cuban people, stands by the political prisoners, stands by those relatives who have lost loved ones in the gulags and in the ocean, will continue to stand by the Cuban people, will not be swayed by propaganda.

This Congress does not forget the suffering of the Cuban people and does not forget that the most important thing that any human being has is freedom.

So I am so grateful to the solidarity of the American people, and I am so grateful because of that strong solidarity of the majority of this Congress. The Cuban people will be free. This Congress will do everything it can to make sure that they know that we are with them. They will be free. They are

giving it all. They are sacrificing even their lives. And it is important that tonight they know that they are not alone, they are not forgotten. We know they are there. We admire you, we respect you, and we stand 100 percent behind you.

I yield back the balance of my time.

#### HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARAMENDI. Madam Speaker, if I might spend a few minutes talking about an extraordinary and historic day today, the day in which America finally, after more than a century, has managed to achieve a program that will in the years ahead create universal access to health care. A country that has universal insurance coverage is not so far away.

A few days ago, one of my colleagues used this quote by Martin Luther King to point out why this is such a historic and important day. Martin Luther King said, "Of all forms of inequality, injustice in health care is the most shocking and the most inhumane." Those days are over. Unfortunately, Martin Luther King is not here today to see this historic passage.

Earlier, 6 hours ago, President Obama signed the health care legislation, and in the week or days ahead the Senate will follow up with corrections to that legislation, and we will be on our road to universal health coverage in America.

Along that road in the days ahead some very important things are going to happen. I received a phone call earlier today, and on radio yesterday was asked by a business person in the San Francisco Bay Area: How does this affect me? My wife and I have a small business. How does this affect me? And I answered this way: Are you purchasing health insurance now? And he said: Yes, and we can no longer afford it. We are going to have to drop it. We are one of those people that have been faced with the 40 percent increase from Blue Cross of California.

I said, well, two things: In the years ahead, companies such as Blue Cross of California will have their rates reviewed as to the appropriateness of the increase. But that is not today. But beginning today, actually January 1, 2010, 35 percent of what you spend on health insurance will become a tax credit and subtracted directly from your tax obligations.

I also received a call in the last couple of days from a rancher in my district. He asked: How does this affect me? I have three employees, part-time, but I try to buy health insurance for them. I asked him: Do you have health insurance for yourself and your wife? He said: Yes, also on the ranch policy.

I said: It will help the same way. You will receive immediately, and every

small business in America, 100 people or less, 100 employees or less will receive that tax credit of 35 percent. And in the year ahead, in 2011, that will increase to 50 percent.

So the burden of purchasing insurance for small businesses, which, after all, are the entrepreneurial part of our economy, where most jobs are actually created and where most health insurance policies have been lost, they will receive a significant reduction in the cost of their insurance immediately and more in the days ahead.

I was also asked about seniors. But before I go to that, let me just pick up this issue of why this is such an important day for America.

In America of yesterday, 45,000 Americans died every year prematurely because they did not have health care. Our health care statistics rank us 19th among the industrialized nations of the world and even behind the nation of Colombia. This is the number of our children that die prematurely early in their life. Our general health, we do not live as long as other nations, our people die earlier, our children die more often.

We have also seen an extraordinary rate increase for those of us in California that obtain our insurance from Blue Cross, 94 percent over what amounts to just a little more than a 1-year period of time.

There was talk last summer about the death panel. Well, the death panel actually occurs from the insurance companies. In California, the average number of claims that were rejected, denied—and these are efforts that doctors have made to provide insurance—21 percent, one-fifth of all claims, all requests for services were denied by the health insurance companies. One company actually denied 39 percent of them. The number of Californians without insurance is about 24 percent.

Now let's go to the issue of seniors and think back on those words of Martin Luther King. The Medicare program in America was made stronger as a result of the legislation that was signed today. The Medicare program in America, its financial solvency has been extended somewhere between 7 years and 9 years out ahead. So all of this talk about the Medicare program becoming insolvent simply isn't the case any longer as a result of today's action by President Barack Obama—I should use my left hand—when he signed that legislation.

It's an incredibly important day.

I am also delighted to notice that I have now been joined by my colleague from the great State of Illinois, JAN SCHAKOWSKY, who is here to join me in this. And with the permission of the Chair, I would like to engage in a dialogue with her.

Welcome. I know that you represent a very special part of this Nation. We are talking about seniors here and about the effects of this legislation on seniors. A couple of days ago you spoke to this issue.

How does it affect Illinois?

Ms. SCHAKOWSKY. Well, one of the things that I think is really refreshing about what is going on today, and ever since the legislation was finally passed, is that there is real focus on how this bill is going to help real people. No more the myths of if we do this, this is going to happen, all these mythical things I heard you talking about, the death panels, et cetera. But now we are having a real conversation. And Americans, including our seniors, are looking at, what does this bill really mean to me?

Let me give you an example of the Ninth Congressional District in Illinois. We know that 101,000 beneficiaries of Medicare are going to be helped by this; that Medicare will be made stronger, including beginning the closing of the doughnut hole. That gap in coverage that can be \$36,000 out of pocket, that is going to go away in this bill over time, and it is going to start right away.

So what we are going to find out now, and I actually saw a poll today that the majority of Americans now—it's changing really quickly—say that they are either enthusiastic or pleased that this legislation passed, beating out those who say that they didn't want it or that they are afraid of it. And so I am so glad that we are now at this phase of the discussion.

This day is really one I have dreamed about my whole adult life and what I have been working for for a while as executive director of the Illinois State Council of Senior Citizens for 5 year. So we have been talking about this for a long time.

Mr. GARAMENDI. It's a happy day for America. It is a really happy day for America. We are on our way to solving one of this Nation's great problems.

Earlier today I was in the East Room of the White House with both of you. Sitting next to me is an extraordinary Representative from really an important part of this Nation, a part of the Nation that has been really harmed by the economy. And we were talking about the way in which this legislation as the President was signing it would affect her district. So let me call upon the gentlewoman from western Pennsylvania, KATHLEEN DAHLKEMPER.

Mrs. DAHLKEMPER. Thank you so much for yielding to me.

Pennsylvania has the second largest population of seniors in the country, and this legislation will go a long way to securing our seniors' future in terms of the benefits that they get from Medicare.

I am so proud to be here tonight talking about this, proud to be one of those who voted "yes" and helped to make this historic legislation move forward. It was certainly a great day on Sunday, and it was even a greater day today when the President signed it into law.

I think about the fact that as I campaigned just 1½ years ago, so many

seniors told me about the financial problems they were having with this doughnut hole issue, and they would cut their pill in half or they would only take it every other day.

I was with my father-in-law one day driving somewhere and I asked him how his diabetes was. He has got adult onset diabetes. He said, Well, you know I got into that doughnut hole. So one of those pills, I am only taking it every other day. And he was basically self-medicating. He was determining what he could afford, not what the doctor ordered. And I know that this is a problem for so many seniors.

So we are going to close that doughnut hole, which I think is one of the great benefits, and we are also going to allow our seniors to get more preventative care without the copays, and going and getting taken care of themselves so they can get a better quality of life and enjoy those years that we hope to enjoy in our lives.

Mr. GARAMENDI. Actually, in 2011, just 10 months from now, the Medicare program will provide wellness and preventative care, and it will not cost the seniors anything. It will be part of the program, 100 percent paid for by the Medicare program.

□ 1900

Your father-in-law, is it, that was cutting his diabetic medicine in half so that he could make it through?

Mrs. DAHLKEMPER. He was doing that. He was trying to spread it out so he could extend his prescription, his filled prescription longer, and reduce the out-of-pocket cost that he was experiencing.

Mr. GARAMENDI. One thing that would clearly help him, beginning January 1, we backdate this to January 1, 2010, there will be a \$250 rebate, a check written to him. If he shows he spent \$250 on that medication, he'll get a check from the Federal Government to reimburse him for that \$250 that he spent once he got to the doughnut hole. That's an immediate benefit.

You've got to be sure to give him a phone call as soon as you leave.

Mrs. DAHLKEMPER. I will. He's just coming back from a trip, something all seniors should be able to do, go enjoy themselves and not have to spend everything that they have on making sure that they have their prescriptions.

I want to thank the gentleman for hosting tonight. I'm just pleased to be here and pleased to see this legislation come forward.

Mr. GARAMENDI. I know that you have another responsibility that you will soon take, and that is to preside over the House. Thank you so very much for joining us for these few minutes before you take the chair and make sure that we keep our time.

Mrs. DAHLKEMPER. I thank the gentleman.

Mr. GARAMENDI. Thank you.

I notice that a woman that I have had the pleasure of working with now for—well, neither of us will say the

total number of years, but she became the chair of the Senate Health and Welfare Committee in California when I moved out of that job to become majority leader in the California senate.

I would like to now introduce and yield to Congresswoman DIANE WATSON, and then if the gentlewoman from Illinois could follow.

Ms. WATSON. Thank you so much, Congressman JOHN GARAMENDI, one of our newer Members; however, old in leadership, ability, ability to conceptualize and he saw a spot for himself in this debate.

And I want to say, we are glowing in the aura of being in the White House and seeing the President, Barack Obama, sign with 19 different pens what is going to change the quality of health care through insurance for this whole country, for Americans.

You're only as strong as your weakest link. I told them earlier today that the people at home who have doubts about what we did and what we're doing and don't really understand; the opposition always showed all of these hundreds and thousands of pages and people became confused and they really were misled. But think of somebody on a high wire and he's got a pole in his hands, or she has a pole in her hands, and she slips, or he slips, and underneath there is a safety net. If that safety net has a hole in it, what's going to happen? People are going to fall through and the end will be there. We in government are the safety net. We have to look larger. They say all politics is local, but we have to look at what we had signed into law by the President, what it will really do.

And I just want to say, that mother who has a son 9 years old and has chronic asthma and had no way of getting him covered can now see that he is covered and get the kind of care that he needs.

This is a true story. It happened in Sacramento. There was a young mother, a beautician. She worked, paid her rent in her little booth where she did hair. She had to quit and go on welfare so her son could be covered because he was in the hospital at least three times a week.

Mr. GARAMENDI. He had a pre-existing condition.

Ms. WATSON. He had a preexisting condition and she could not get insurance coverage. That will be taken care of.

Mr. GARAMENDI. I yield to the gentle lady from Illinois.

Ms. SCHAKOWSKY. Unfortunately, Representative GARAMENDI, I am going to have to leave, too. But before I did, I wanted to focus on what happens this year for people. The physical rollout of the bill takes a number of years to happen. But if people are wondering what's going to happen this year, I wanted to just give some examples.

Starting as soon as the bill is passed, tax credits to small businesses to make employee coverage more affordable. Those tax cuts of up to 35 percent of

premiums will be immediately available to companies, to small businesses that choose to offer coverage to their employees. Of course, in 2014 the tax credits will cover 50 percent of the premiums. Right away. We talked about the \$250 rebate to Medicare recipients. And also there's going to be a 50 percent discount on brand name drugs for people who are in that doughnut hole, in that gap in coverage; and the doughnut hole being closed completely by 2020.

Ninety days later, immediate access to insurance for Americans who are uninsured because of a preexisting condition through a temporary high-risk pool. We put billions of dollars into a high-risk pool for people. Six months after enactment, that's when health plans are prohibited from denying coverage to children with preexisting conditions.

Mr. GARAMENDI. That's what Congresswoman WATSON was talking about, that young child, the mother. That child has immediate access—6 months from now. Let's count it up. That would be September. She would be able to get health care coverage for her child.

Ms. SCHAKOWSKY. Also in 6 months, and this is going to affect 52,000 young adults in my district alone, to require health plans to allow young people up to their 26th birthday to remain on their parents' insurance policies. At their parents' choice, of course. So that's pretty good for our young people.

Mr. GARAMENDI. That's downright exciting.

Now I've got a 24-year-old daughter. About 11 months ago, she went off our policy. She couldn't get insurance, even though she had been with the same insurance company for 23 years, and suddenly she was uninsurable because she was a woman in a child-bearing age. Those days are over. She can come back on my policy. We've got 52,000 people in my district, the same young population, that will be able to stay with their parents. Please continue.

Ms. SCHAKOWSKY. That's a story in itself, why your daughter after having been insured with the same company for 23 years, and now couldn't pay for her own insurance and they would raise her rates.

Mr. GARAMENDI. It wasn't a matter of paying. She couldn't get insurance.

Ms. SCHAKOWSKY. Oh, they excluded her. Unbelievable.

Mr. GARAMENDI. Because she had that preexisting condition called "female."

Ms. SCHAKOWSKY. Now in 6 months from the enactment of this bill, from today, health plans won't be able to drop people when they get sick. And Illinois happens to be number one in what is called rescission, and that's just canceling people because they go back digging through their records and say, uh-uh, we're going to drop your policy.

Six months from today, health plans will not be able to have lifetime caps on coverage. And people who have chronic illness, they can reach those caps in a very few months if they get sick. And in 6 months tightly restrict new plans' use of annual limits to ensure access to needed care. These tight restrictions will be defined by Health and Human Services. So that's a good thing. We're going to begin to regulate what they do.

And finally, beginning in January of next year, that's when the seniors don't have to pay any copayments for preventive services; exempts preventive services from any deductibles under Medicare. What a great thing that is to keep older adults healthy in this country.

And also in January, what we call a medical loss ratio, that's kind of a fancy term for saying that insurance plans will have to spend 80 percent of premium dollars on medical services for a small group market, or individual market, and 85 percent in a large group market. Eighty-five cents on every dollar is going to have to go to health care, not to bonuses or stock options for executives, but for health care. This is a great bill.

Mr. GARAMENDI. What year does that kick in?

Ms. SCHAKOWSKY. January 1, 2011.

Mr. GARAMENDI. So it's not going to be about profit? It's going to be about actually providing benefits to people?

Ms. SCHAKOWSKY. Exactly. They're going to have to pay, for individual market, 80 cents on the dollar has to go to health care for a small group, and then 85 percent for large groups.

Mr. GARAMENDI. So those companies in Illinois and California that are denying claims to fatten their bottom line are going to have to actually provide medical services and pay for it. Oh, my goodness. What a shock.

Ms. SCHAKOWSKY. That's right. But they'll be prohibited 6 months from now from dropping people off their policies. Those days are over.

In some ways, we're saying to the American people now who have been staying up at night like those parents worrying about their children, Sleep well. We're actually going to solve those problems and lift this tremendous weight off the shoulders of Americans.

Thank you so much for doing this. Thank you, Congresswoman WATSON. I appreciate it.

Mr. GARAMENDI. Thank you so very much for joining us and sharing that specific information.

As you were talking about the rescission issue, 4 years ago as Insurance Commissioner in California, we came upon several insurance companies that were just doing this really to fatten their bottom line. It happened to be the biggest company in California, Anthem Blue Cross. There were some complaints brought to us, brought to others, and we began to investigate



them when we found that there was a pattern of practice within that company, that when an expensive claim, when one of their customers became sick with something that was expensive, perhaps diabetes or acute heart or cancer, they would go back and comb through the application looking for an error that may have been made.

For example, and this was one that was a very real example, as a young child, one of the people that had had their policy canceled had an asthma attack as a young child, probably 3 or 4 years of age, had an asthma attack. That was sufficient in the minds of Blue Cross Anthem to rescind the policy and to not pay for the very expensive care that the mother had incurred. Those kind of days are over. The message to the insurance industry is, You can no longer harm your customers. You're going to have to abide by your contract. You're going to have to provide coverage. And no longer are you going to be able to discriminate based upon a preexisting condition, upon sex; females, for example. You can no longer do those kinds of practices. Immediately, this year, those insurance reforms go into place and that will help every American that has a private insurance policy, whether you're in a group or you're in an individual policy, an extraordinarily important reform. I would have loved to have had a law like that in California during my days as Insurance Commissioner. We had to use other ways, contractual ways. We didn't have the law, we didn't have the power that is now given to the American people to force the insurance companies to behave.

Ms. WATSON. What we failed to do, Congressman, was emphasize, this really is a health insurance reform.

Mr. GARAMENDI. Yes.

Ms. WATSON. Too many people think that we're going to change the way health is delivered. And I say to people when I have town halls, How many of you have insurance? And the hands go up. How many of you like your insurance? And hands come down. I say, Well, keep your hand up if you like your insurance. If you like it, keep it.

□ 1915

Mr. GARAMENDI. Exactly.

Ms. WATSON. If you don't like it, and it's not meeting the needs of yourself and your loved ones, then you can go and shop around and find an insurance that is affordable. But you know what makes me just delighted tonight? That is that we have prevention written into this law. Wouldn't it be wonderful if you could go and check to be sure that you don't have breast cancer? That's one of the penalties, I guess, for being a woman. But you know, men can get breast cancer. You were in the legislature in California when we discovered in 1980 that breast cancer research was done on men. And a group of us women got together and said, We're not going to vote for the budget

unless you have \$28 million in there to do research on breast cancer.

Mr. GARAMENDI. I remember those days too. And I also remember what you were talking about a moment ago, and that is the way in which the insurance industry has in the past really harmed us. It's as though we were thrown to the sharks. We had no option. We will have a better option in the purchase of insurance in the days ahead. In fact, for those people in the 50 to 65 age group who have preexisting conditions, there is an insurance exchange that is immediately available to them. They will be part of a group, a high-risk group. They will be able to get insurance immediately. I think it's within 90 days they'll be able to apply for that insurance. Right now there's no way they can get coverage. They're not old enough for Medicare. They're probably virtually unemployable because they have a preexisting condition, and employers don't want to hire them because they know the insurance companies are going to raise the rates on everybody if they would be hired. So they are really in a dark hole. But this legislation provides a mechanism for those people in that category to get insurance in a high-risk pool that is actually paid for by the Federal Government. And that will be available this year right away.

Ms. WATSON. If I can just describe some of the other preventive services that will help to keep people's stress levels down. Because they feel that if they have a condition, but they don't have insurance, that when they go to get help, they're going to say, What's your insurance? I don't have one. Well, you know, I don't know if we can help you here. Go to the county hospital. And what people have to understand, when you have an organized society, everyone has to pay. We are only as strong, as I said, as our weakest link, and if we have communities where everyone is ill in that community, can we be a strong Nation?

We're going around the globe. We're fighting three wars at the current time—or two and a half—and we're saying, Do it our way. Well, I tell you, Congressman GARAMENDI, I have actually felt shame in the last 3 or 4 days. The people that were out on the streets taunting, showing hatred, calling people despicable terms right here on the floor, when another Member destroyed our decorum by saying “baby killer,” and then somebody's apologizing for him.

We're trying to show that we're this strong Nation globally, and we have values, and we care about people. But yeah, we spit on them. We call them names. We make fun of them in some way or the other. And sometimes it's a mental condition that has not been treated.

Mr. GARAMENDI. Well, mental health and addiction health is included in the coverage in the years ahead. No longer will there be this division between physical health and mental

health. Mental health will be treated the same as what is the classic physical health insurance. An incredibly important part of this legislation requires that mental health be included in the insurance program. And what family in America hasn't been affected with either an addiction issue in their family or with a mental health issue in the family? It is common to all of us. So the coverage will be there. We're not making any aspersions to anybody in our company in this building or out on the street.

Ms. WATSON. No, no.

Mr. GARAMENDI. But the facts are the facts that mental health is desperately needed, and it will be treated the same as what we call the physical or the normal health programs of the past. And that was brought to us by PATRICK KENNEDY, who fought vigorously over this last year making sure that that issue, addiction and mental health, are included. And if that is, go to any police station around the Nation. Follow the policemen in their work during the day or the night. Many of the calls—and I know from my own experience in California from ride-alongs as the Lieutenant Governor, as the insurance commissioner, ride-alongs with the police. Many of the calls—I don't know, maybe 50 percent or more. On the day I was there, it was every call, and that was about five—was a mental health issue. Oh, it's Gladys. She's off her meds, and she causing trouble again. Or the addiction issues which are common. We know the prisons are filled with addicts. We need to get at that.

There's also in this legislation—and you've talked about prevention. Some of this happens immediately, but it will take time. The research, the mind research—what is addiction? How do we treat it? Is there a way that we can treat addiction? And the mental health issues are so much a part of our lives. So there is an enormous amount of money that will go into research of all kinds that will benefit us in the years ahead, also including medical information technology.

We know that mistakes in hospitals and in the doctor's office are often a result of scribbles on a pad of paper, trying to be interpreted by the nurse or the doctor who follows up in the next shift. But medical information technology that is readily available, where your information can be on a flash drive. You and I are from California. We get hit walking across the street here. We could have a flash drive in our wallets. They can plug it in at the emergency room, and they know everything there is to know about us without having to start at the beginning.

Ms. WATSON. I'm glad you mentioned California and walking across the street. You must have automobile insurance if you have a license and you drive a car in California. Because I don't care how good a driver you are, there will be a time when you're going to need insurance. So we mandate it.

Are you aware that it has been said since the bill has been signed that 12 States are going to come together to sue us because we're mandating that you have to have health insurance? Well, I can tell you this: if we don't require it, then you're going to pay one way or the other. Because you see, when that person gets hit, and they don't have any insurance, and they're laying out in the street, the ambulance is going to come. Because we are a humane society, we're going to pick them up, and we're going to take them to the county hospital or the DSH hospital because we're not going to let anyone in this country lie on the ground because they don't have insurance and die because they can't get health care. That's not the kind of people we are.

But I tell you, listening to these ranters rather than reasoners, you know, I'm thinking, what are we turning into as a Nation? Why are people ranting about providing health insurance? And I want to tag insurance on because that's what this bill is all about.

Mr. GARAMENDI. It certainly is. And for that unfortunate person that was out on the street, got hit by a car, was off to the hospital, the emergency room, there's a cost there. If that person doesn't have insurance, who's going to pay? Well, I'll tell you who's going to pay. It's going to be the taxpayers who pick it up, either the local county, or city, or the State, and the Nation will pick up that cost, or it will be passed on to the insurance policies and the premiums that everybody else pays. So those people who are not insured are getting a free ride, and the rest of the people that are insured and the taxpayers get to pick it up.

So those days where we spread the risk—and this is insurance. I know insurance. I was the insurance commissioner. You spread the risk throughout the entire society, and the entire society shares in the cost of the system. That's the only fair way to do it. If you wait until you don't have insurance, you wait until there's an accident, you may go bankrupt. But the chances are that you don't have enough money to pay for it, and the cost is going to be shifted. So this is a fairness thing also.

You spoke earlier about the attorneys general who want to seek Federal court repeal of this legislation. There's also Members of Congress who have already introduced legislation to repeal it. I'm going, Well, that will be interesting. What are they going to tell the 52,000 young men and women in my district?

Ms. WATSON. In their own districts.

Mr. GARAMENDI. They're going to be able to stay on their parents' insurance for another 3 years. What are you going to do? They're going to get thrown off. You're going to repeal it so they get thrown off? And what about those seniors who are going to get \$250 and a closing of the prescription drug doughnut hole? You're going to tell those seniors that, Oh, sorry. We've de-

cided to repeal that, and you're going to have to continue to pay for that out of your pocket. And by the way, the discount on the generic drugs, that's gone away. After all, the drug companies don't have enough profit yet so they deserve to have more profit. Is that what you want? I don't think so. I don't think the public wants that. And I don't think that that rancher who contacted me about providing insurance for himself, his wife, and for his three part-time people is going to be happy to learn that the 35 percent credit on the money he spends for insurance, and in a couple of years, the 50 percent reduction in the cost of health insurance for him, I don't think he's going to be too happy. Or those 50- to 65-year-old people who are sick with a preexisting condition who are uninsurable and under this legislation will be able to enter a pool to get insurance, a high-risk pool that will pay for their insurance, they're not going to be happy.

So for those who want to repeal this, let's keep in mind what this legislation actually does. This law provides access to insurance, high-quality insurance for men, and women, and children. But I forgot to talk about all those children who have preexisting conditions that will in 60 days be able to get insurance. This program is a fundamental change and takes America to a new higher plateau of justice.

Talk about repeal. When the American public comes to understand what is in this—with all of the fearmongering aside, with all of the rhetoric about "kill the bill" aside—when they come to understand what's in this bill, it will not be repealed.

Ms. WATSON. Why would we in this House allow the repeal of something that we did with so much pride?

Mr. GARAMENDI. Well, we won't.

Ms. WATSON. And if it got out of this House and got to the other House, why would they—when they had people sign on to a letter that they would pass it—and what would influence the President of the United States to sign that bill? So I think what's happening is that it's just an opportunity for opposition to be heard again and continue with the devastating misstatements that they're giving to people. You know, it really troubles me that people—well, I guess it's the mob mentality—can buy that. And that's why it's so important that we do what we're doing tonight to try to set some reality.

We talked about mental health. Do you remember, we were walking into the Rayburn Building early this morning after we came back, and there was a gentleman there with fatigues on, and he got up and saluted? And I said, That's an intelligent man. But like in California and under the Reagan administration, they closed many of the DD centers, mental health hospitals, and there were some who wanted to sell off that property with the promise of sending the mentally ill out to be

treated in their own communities and that the money would follow. Well, the money never followed. In my city on any given night, there are 80,000 to 90,000 homeless people. And if you were to go through on the streets, if you were to go through that group, you will find that out of 10, 6 of them are in need of mental health treatment.

Well, we did something a few months ago; we increased the budget for veterans and their mental health—thank goodness. Now this will follow. And that gentleman that saluted us as we went in, he can get the kind of help he needs and get off the streets. It's obvious that there's a great deal of intelligence there. He just got a bad deal.

Mr. GARAMENDI. If I might, your discussion reminded me of the community clinics in your district of Los Angeles, in my own district, and throughout the State of California and other States that provide the safety net service for those people that are homeless, those people that are in need, those people that are low income or unemployed. In this legislation, there is an extremely important increase in the safety net services in three different ways.

□ 1930

First of all for the community clinics spread throughout the Nation, there is \$11 billion over the next 3 years that will go to those community clinics so they can expand the services for those people that are low income, unable to have insurance right now; but in 3 more years, they will have that insurance. It will bring up the community clinics so they can meet the needs that exist today. That money will begin to flow out to the community clinics, and in my district, in Contra Costa County, Alameda, Solano and Sacramento counties, it will result in enough money to build 10 new clinics in areas that are desperate for medical services.

Ms. WATSON. You know that, in California, 85 percent of our land is agricultural, and sometimes people are great distances away from the delivery of quality health care. Now we are going to have a whole system of clinics where they can go. I am just so thrilled because we emphasize prevention. We are even going to increase Pell Grants so students can get larger amounts of money to stay in school and become a general practitioner to take care of these people and see them on a regular basis to keep them from going into the hospital.

You know, one of the areas that we really haven't dealt with is long-term care. We haven't solved that problem yet, but we hope we can keep people healthy and keep them from having the need to have long-term care. We want to keep our seniors—and in California we receive a lot of them because they are bypassing the overindustrialized States, even Florida and Texas, and they are coming to us. Many years ago we increased the benefits under Medi-Cal. We have our own system, and

while I was there, it was many years ago, we increased the benefits up to maybe 32 to 34 that were not required in law. Now we are saying let's emphasize the front end and keep people out of acute care facilities by keeping them healthy.

Mr. GARAMENDI. There are specific provisions in the legislation that expand the programs for long-term care. We have gone on for some time now, and I would like to do two more things, if you will join me. I would like to review what we have done. But before we get to that, I will review what is in the legislation. But before we get to that, somebody is going to ask, How are we going to pay for it?

Well, this piece of legislation is fully paid for. It is paid for in a variety of ways. Part of that pay-for comes from a significant reduction in the unnecessary bonus that the insurance companies get for providing Medicare Advantage programs. This has been the great scare tactic, that Medicare benefits would somehow be cut. Absolutely not. There is a specific line in the bill that says Medicare benefits will not be cut. What is cut is the unnecessary bonus that the previous administration gave to the insurance companies to do what they should have done without having that bonus. It is a 16 percent additional bonus over and above the cost. We get that money back. We plow that money back into Medicare, and we will be certain that the Medicare programs will not see a reduction in benefits. That's one way.

Also in this program, for those people that for years and years have been able to get a free ride, there are tax increases in the outyears for income earned on those people who have \$200,000 or more of income, and have income from stocks, bonds, dividends, and capital gains. They have been getting a free ride since Medicare came in some 43 years ago, so that will be the other way. And then there are savings in the legislation. The bottom line is that the program is totally paid for.

And let's talk about the deficit.

Ms. WATSON. It reduces the deficit. I wanted to say that. This will be the largest deficit reduction measure in 17 years and will cut the deficit, get this, by \$148 billion; \$148 billion over the first 10 years and \$1.2 trillion over the next 10 years.

And small businesses—and that is what killed the Clinton proposal, universal health care. They said it would kill small business. This is what we do: Small businesses will receive \$40 billion in tax credits to make it easier for them to provide coverage for their workers.

Mr. GARAMENDI. That is the 35 percent credit that we talked about. In my district, I have 14,500 small businesses that will qualify for that if they are purchasing health insurance for their employees. It is an encouragement to purchase health insurance by reducing the cost by a third, and in 3 years out, it will a 50 percent reduction in the

cost of insurance for those small businesses.

Ms. WATSON. Now that the bill is signed into law, we probably should have town hall meetings like this so people will actually know. You have these very fine charts, and I am going to let you take the rest of the time to let folks know what we did when that bill was signed.

Mr. GARAMENDI. Let's run through it very, very quickly.

Small businesses' tax credits, we talked about that; 35 percent right now beginning January 1, carrying on, and eventually in 2014, going to 50 percent.

Ms. WATSON. Do you think you might be able to hire some people to work? It is jobs, jobs, jobs.

Mr. GARAMENDI. Exactly, and small businesses are where the job creation is.

We talked a lot about the Medicare program, the doughnut hole on part D, \$250 for those senior citizens that are currently in the doughnut hole with their drugs. They are going to get a \$250 rebate, a check from the government to help them, and we begin to shrink the doughnut hole, and in the years ahead, it will disappear.

Ninety days from now, this would be in June, there is an immediate help for the uninsured in the exchange. This is what we were talking about. These are those who have a preexisting condition, those 50 to 60, 65 years old, they will be able to enter into a temporary, high-risk pool, and eventually, in 2014, they will be able to purchase insurance through the purchasing exchanges.

Six months, September 2010, no discrimination against children with preexisting conditions. Think of that child. You talked about that child, the mother who had a child with diabetes, uninsurable. At birth with a birth defect, cannot get insurance, but in 6 months, in September 2010, those children will have access to insurance. The insurance companies cannot deny coverage.

This is the one—I only wish this was a year ago, but maybe my daughter can get back on—52,000 young adults in my district will be able to stay on their parents' insurance policies beginning September 2010. This is good news for a whole lot of kids throughout America.

We talked about rescission. We talked about the way in which the insurance companies go back when there is an expensive case and find some excuse to dump the individual from the insurance policy and then the individual is left with the cost. Those days will be over in September 2010.

Lifetime limits. September 2010, lifetime limits, no longer will an individual blow through the lifetime limit on an insurance company and be left totally to themselves. This is the reason we have bankruptcies; 65 percent of bankruptcies are a direct result of medical issues, and those people have insurance.

Ms. WATSON. Let me just interject this here at this point. The public

needs to know that if you are insured under this program and you are sick and you can't work, your insurance will cover you. Too many people, as you've said, have gone bankrupt because they had to borrow on their homes and they couldn't repay what they borrowed and they are sick and can't work.

Mr. GARAMENDI. Well, those days are going to be over. September 2010, the lifetime limit on health insurance, over. And restrictions are placed on a descending amount of the annual limits and those eventually phase out in 2014. So annual limits are gone in 2014, and they begin to phase out beginning September 2010.

Effective January 1, 2011, 9 months from now, free preventive care under Medicare. You have talked about prevention. January 1, senior citizens, free prevention care. How important that is, keeping them healthy. And also the issue of what are the insurance companies doing with the premiums we pay. Beginning January 2011, 80 percent of those premiums are guaranteed to go for medical services, not for profit, not for bonuses to the high and the mighty of the insurance companies, but rather, and this is the individual market, but rather for medical services, and in large group markets, employers, 85 percent. So for those big shots in the insurance industry that have been receiving 2, 3, 4, and even greater, million-dollar bonuses, I'm sorry, only after you pay for the services that your customers have contracted with you to provide. The days of rescission are over.

It was a glorious day today as we sat there in the East Room of the White House, after all of the work that has been done for more than a century by Presidents from Theodore Roosevelt, Democrat and Republican Presidents, by men and women in previous Congresses, by you and the others who were here in the early days of this year, finally, a fundamental change for the better for America's health, for the men and women and children in this Nation. It is a good day, and what a privilege for all of us to be part of that this day.

Ms. WATSON. You know what? These people who got elected and feared that an "aye" vote on this would really harm them, they don't belong here, because if you can't make a vote for the greater good of society and go back to your district and explain it to your constituents, you don't belong here. What I have been saying, what we did in the last 48 hours was for the greater good of America and not just a select few.

So, Congressman, I want to thank you for the opportunity to again have this period with you, and I am going to strongly suggest when we are in our caucus that we go back now and hold those town halls and lay it out like you have done this evening, and I want to thank you for that.

Mr. GARAMENDI. Thank you for joining us, and I thank my other colleagues for joining us.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. TITUS) to revise and extend their remarks and include extraneous material:)

Ms. BERKLEY, for 5 minutes, today.  
Ms. TITUS, for 5 minutes, today.  
Ms. WOOLSEY, for 5 minutes, today.  
Mr. DEFAZIO, for 5 minutes, today.  
Ms. KAPTUR, for 5 minutes, today.  
Ms. JACKSON LEE of Texas, for 5 minutes, today.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 4098, THE SECURE FEDERAL FILE SHARING ACT, AS PROVIDED BY THE HOUSE COMMITTEE ON THE BUDGET ON MARCH 22, 2010

	By fiscal year, in millions of dollars—											
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015
	Net Increase or Decrease (–) in the Deficit											
Statutory Pay-As-You-Go Impact .....	0	0	0	0	0	0	0	0	0	0	0	0

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6744. A letter from the Acting Director, NRCS Legislative Affairs Division, Department of Agriculture, transmitting the Department's final rule — Healthy Forests Reserve Program (RIN: 0578-AA53) received March 8, 2010 to the Committee on Agriculture.

6745. A letter from the Acting Director, NRCS Legislative Affairs Division, Department of Agriculture, transmitting the Department's final rule — Agricultural Management Assistance Program (RIN: 0578-AA50) received March 8, 2010 to the Committee on Agriculture.

6746. A letter from the Acting Director, NRCS Legislative Affairs Division, Department of Agriculture, transmitting the Department's final rule — Technical Service Provider Assistance (RIN: 0578-AA48) received March 5, 2010 to the Committee on Agriculture.

6747. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hexythiazox; Pesticide Tolerances [EPA-HQ-OPP-2009-0325; FRL-8813-7] received March 11, 2010 to the Committee on Agriculture.

6748. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-Abscisic Acid, (S)-5-(1-hydroxy-2,6,6-trimethyl-4-oxo-1-cyclohex-2-enyl)-3-methyl-penta-(2Z,4E)-dienoic Acid; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0127; FRL-8814-5] received March 11, 2010 to the Committee on Agriculture.

6749. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tetraethoxysilane, Polymer with Hexamethyldisiloxane; Tolerance Exemption [EPA-HQ-OPP-2009-0845; FRL-8814-3] received March 11, 2010 to the Committee on Agriculture.

(The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. GOHMERT, for 5 minutes, today.

Mr. BARRETT of South Carolina, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today and March 24.

Mrs. BACHMANN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, today.

Mr. LANCE, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

### ADJOURNMENT

Mr. GARAMENDI. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 24, 2010, at 10 a.m.

### BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111-139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 4098, the Secure Federal File Sharing Act, as amended, for printing in the CONGRESSIONAL RECORD.

Army, transmitting recommending the authorization of the proposed Topeka, Kansas, Flood Risk Management project to the Committee on Transportation and Infrastructure and ordered to be printed.

6758. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the March 2010 Report to the Congress: Medicare Payment Policy jointly to the Committees on Ways and Means and Energy and Commerce.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHAFFETZ (for himself and Mr. POLIS of Colorado):

H.R. 4913. A bill to amend the Federal Food, Drug, and Cosmetic Act concerning the distribution of information on legitimate scientific research in connection with foods and dietary supplements, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PALLONE (for himself, Ms. SHEA-PORTER, and Ms. PINGREE of Maine):

H.R. 4914. A bill to promote coastal jobs creation, promote sustainable fisheries and fishing communities, revitalize waterfronts, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. LEVIN, Mr. CAMP, Mr. COSTELLO, and Mr. PETRI):

H.R. 4915. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself and Mr. SCHRADER):

H.R. 4916. A bill to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land; to the Committee on Natural Resources.

By Mr. SCHAUER:

H.R. 4917. A bill to amend part D of title XVIII of the Social Security Act to prohibit mid-year changes in the formularies of Medicare Part D plans; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANNER (for himself and Mr. CASTLE):

H.R. 4918. A bill to require States to carry out Congressional redistricting in accordance with a process under which members of the public are informed of redistricting proposals and have the opportunity to participate in the development of such proposals prior to their adoption, and for other purposes; to the Committee on the Judiciary.

By Ms. FALLIN (for herself, Mr. COLE, Mr. SULLIVAN, Mr. BOREN, and Mr. LUCAS):

H. Res. 1206. A resolution remembering the victims of the attack on the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, and supporting the goals and ideals of the National Week of Hope; to the Committee on Oversight and Government Reform.

By Mr. LAMBORN (for himself, Ms. BORDALLO, Mr. McCAUL, Mr. COURTNEY, Ms. MARKEY of Colorado, Mr. KINGSTON, and Mr. BOREN):

H. Res. 1207. A resolution recognizing the National Museum of World War II Aviation in Colorado Springs, Colorado, as America's National World War II Aviation Museum; to the Committee on Armed Services.

By Mr. SMITH of Washington (for himself, Mrs. BONO MACK, and Mr. COBLE):

H. Res. 1208. A resolution supporting the goals of World Intellectual Property Day; to the Committee on the Judiciary.

By Mr. INSLEE (for himself, Mr. CLYBURN, Mr. HASTINGS of Washington, Mr. DICKS, Mr. SPRATT, Mr. UPTON, and Mr. BARRETT of South Carolina):

H. Res. 1209. A resolution expressing disapproval of the House of Representatives with respect to the Department of Energy's motion with the Nuclear Regulatory Commission to withdraw the license application for a high-level nuclear waste repository at Yucca Mountain with prejudice; to the Committee on Energy and Commerce.

By Mr. KENNEDY (for himself and Mr. LANGEVIN):

H. Res. 1210. A resolution honoring the Blackstone Valley Tourism Council on the celebration of its 25th anniversary; to the Committee on Energy and Commerce.

By Ms. WATSON:

H. Res. 1211. A resolution expressing the appreciation of Congress for the service and sacrifice of the 2nd Ranger Infantry Company (Airborne), United States Army, which was the first and only all-African American Ranger Company in the Army; to the Committee on Armed Services.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

245. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 117 memorializing the Congress to change Medicaid Laws, rules, and policies to reward states for results, staying healthy, and spending less, pursuant to; to the Committee on Energy and Commerce.

246. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 176 urging the Congress to stimulate markets for recycled materials, recycling, and source reduction and development of comprehensive solid waste management plans; to the Committee on Energy and Commerce.

247. Also, a memorial of the Legislature of the State of Wyoming, relative to Joint Resolution recognizing the Greater Sage Grouse Core Area as Wyoming's primary regulatory mechanism for conservation to preclude the need for listing the bird on the threatened and endangered species list; to the Committee on Natural Resources.

248. Also, a memorial of the House of Representatives of the State of Maine, relative to House Joint Resolution No. 1287 urging the Congress of the United States to pass legislation in order to send a one time \$250 payment to every Social Security Recipient; jointly to the Committees on Ways and Means, Transportation and Infrastructure, and Veterans' Affairs.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mrs. KIRKPATRICK of Arizona, Ms. SPEIER, Mr. GEORGE MILLER of California, Mr. FARR, Mrs. NAPOLITANO, Mr. SABLAN, Mr. SALAZAR, Mr. RODRIGUEZ, and Mr. PAYNE.

H.R. 113: Mr. MARCHANT, Mr. ISSA, Mr. PENCE, Mr. HENSARLING, Mr. MANZULLO, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. CONAWAY, Mr. SHAD-EGG, Mr. FRANKS of Arizona, Mr. GRIFFITH, and Mr. BARTLETT.

H.R. 177: Mr. OWENS.

H.R. 211: Mr. ISSA.

H.R. 219: Mr. JOHNSON of Illinois.

H.R. 235: Mr. ETHERIDGE, Mr. OWENS, Mr. LUCAS, and Ms. KOSMAS.

H.R. 442: Mr. THOMPSON of Pennsylvania.

H.R. 456: Mr. ROONEY.

H.R. 537: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. GUTHRIE.

H.R. 690: Mr. HUNTER and Mr. LUCAS.

H.R. 1177: Mr. CLYBURN, Mr. DINGELL, Mr. ENGEL, Mr. FRANK of Massachusetts, Mr. GENE GREEN of Texas, Ms. MCCOLLUM, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. GRIJALVA, Mr. PASCRELL, Mr. BERMAN, Mr. KIND, Mr. DAVIS of Illinois, Mr. DOGGETT, Mr. FILNER, Mr. HOLT, Mr. KAGEN, Mr. LARSEN of Washington, Mr. STUPAK, Ms. SUTTON, Ms. WOOLSEY, Mr. WU, Ms. BALDWIN, and Mr. YARMUTH.

H.R. 1203: Mr. GINGREY of Georgia, Mr. ETHERIDGE, Mrs. DAHLKEMPER, and Ms. SHEA-PORTER.

H.R. 1324: Mr. SCOTT of Georgia.

H.R. 1467: Mr. GERLACH.

H.R. 1806: Mr. HALL of New York.

H.R. 1822: Mr. DUNCAN and Mr. WESTMORELAND.

H.R. 1895: Mr. MCMAHON.

H.R. 2000: Ms. TITUS.

H.R. 2067: Mr. TOWNS and Mr. GARAMENDI.

H.R. 2138: Mr. TIM MURPHY of Pennsylvania.

H.R. 2139: Mr. WEINER.

H.R. 2296: Mr. ORTIZ.

H.R. 2378: Ms. KILROY.

H.R. 2531: Mr. TONKO and Mr. HINCHEY.

H.R. 2713: Mr. WALZ.

H.R. 2799: Mr. MINNICK.

H.R. 3024: Mr. CONNOLLY of Virginia.

H.R. 3047: Mr. COHEN.

H.R. 3147: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3407: Mr. SCOTT of Virginia.

H.R. 3464: Mr. PETRI, Mr. ALEXANDER, Mr. WOLF, Mr. MORAN of Kansas, Mr. BISHOP of Utah, and Mrs. LUMMIS.

H.R. 3577: Mr. MICHAUD.

H.R. 3729: Mrs. HALVORSON.

H.R. 3787: Mr. BRALEY of Iowa.

H.R. 3947: Ms. RICHARDSON.

H.R. 3948: Mr. TIM MURPHY of Pennsylvania.

H.R. 3986: Mr. WATT.

H.R. 4271: Mr. SCHOCK and Mr. BARTLETT.

H.R. 4278: Mr. CLEAVER.

H.R. 4296: Mr. CARSON of Indiana.

H.R. 4306: Mr. NEUGEBAUER and Mr. POE of Texas.

H.R. 4360: Mr. SKELTON, Mr. KAGEN, and Mr. BOOZMAN.

H.R. 4430: Mr. CANTOR.

H.R. 4480: Ms. HERSETH SANDLIN.

H.R. 4486: Mrs. NAPOLITANO.

H.R. 4505: Mr. WELCH, Mr. BOREN, and Mr. ARCURI.

H.R. 4553: Mr. JONES.

H.R. 4635: Mr. FILNER.

H.R. 4674: Mrs. HALVORSON.

H.R. 4677: Ms. ZOE LOFGREN of California, Mr. VISCLOSKEY, Mr. ARCURI, and Mr. WILSON of Ohio.

H.R. 4701: Mr. KAGEN.

H.R. 4753: Mr. ELLSWORTH.

H.R. 4767: Mr. LEE of New York.

H.R. 4788: Mr. KAGEN, Mr. STARK, Mr. TIM MURPHY of Pennsylvania, and Mr. FILNER.

H.R. 4812: Mr. BLUMENAUER, Mr. LEWIS of Georgia, Mr. AL GREEN of Texas, Mr. TOWNS, Ms. SLAUGHTER, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Ms. PINGREE of Maine, Mr. THOMPSON of Mississippi, Mr. SIREN, Ms. DELAURO, Mr. BRADY of Pennsylvania, Ms. ROYBAL-ALLARD, and Mr. DAVIS of Illinois.

H.R. 4862: Mr. ACKERMAN and Ms. NORTON.

H.R. 4865: Mr. MORAN of Virginia and Ms. NORTON.

H.R. 4879: Ms. DELAURO, Mr. SHERMAN, Mr. ROTHMAN of New Jersey, Mrs. DAVIS of California, and Mrs. MALONEY.

H.R. 4894: Mr. HASTINGS of Washington and Mr. MICA.

H.R. 4903: Mr. BOOZMAN, Mr. SMITH of Texas, Mr. ROGERS of Alabama, Mr. JONES, Mr. GOHMERT, Mr. CARTER, Mr. GOODLATTE, and Mr. GARY G. MILLER of California.

H.R. 4904: Mr. ROHRBACHER, Mr. HALL of Texas, Mr. KING of Iowa, Mr. JONES, Mr. HASTINGS of Washington, and Mr. GOHMERT.

H.J. Res. 80: Mr. BUYER.

H. Con. Res. 241: Mrs. MCMORRIS RODGERS.

H. Res. 213: Mr. HINOJOSA, Mr. REYES, Mrs. DAVIS of California, and Mr. FATTAH.

H. Res. 577: Mr. HARE.

H. Res. 989: Mrs. NAPOLITANO.

H. Res. 996: Mr. CLEAVER, Mr. RUSH, Mr. MARKEY of Massachusetts, and Mr. MAFFEI.

H. Res. 1041: Mr. MEEKS of New York, Mr. BILBRAY, Mr. BOCCIERI, Mr. TANNER, and Mr. BOOZMAN.

H. Res. 1042: Mr. MEEKS of New York, Mr. BILBRAY, Mr. BOCCIERI, Mr. TANNER, and Mr. BOOZMAN.

H. Res. 1052: Ms. SHEA-PORTER, Mr. WILSON of South Carolina, and Mr. ORTIZ.

H. Res. 1094: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Ms. EDWARDS of Maryland, Mr. SCOTT of Georgia, Ms. RICHARDSON, Ms. FUDGE, Mr. CARSON of Indiana, Mrs. SCHMIDT, Mrs. MYRICK, Mr.

DINGELL, Ms. CLARKE, Mr. JACKSON of Illinois, Mrs. MALONEY, Ms. SUTTON, Ms. BERKLEY, Mr. CLYBURN, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Mrs. HALVORSON, Ms. SPEIER, Ms. KAPTUR, Ms. KILROY, Ms. LEE of California, Ms. SCHAKOWSKY, Ms. WOOLSEY, Ms. HIRONO, Mr. GARAMENDI, Mr. DOGGETT, Mr. FATTAH, Mr. BRADY of Pennsylvania, Mr. ROTHMAN of New Jersey, Mr. KANJORSKI, Mr. HOLDEN, Mr. BUTTERFIELD, Mr. SCOTT of Virginia, Mr. HASTINGS of Florida, Mr. BECERRA, Ms. SLAUGHTER, and Mr. HOYER.

H. Res. 1132: Mr. NYE, Mr. BOREN, Mr. TAYLOR, Mr. MARSHALL, Mr. LOEBSACK, Ms. TSONGAS, Ms. PINGREE of Maine, Mr. KISSELL, Mr. LARSEN of Washington, Mr. MINNICK, Mr. REYES, Mr. BRIGHT, and Mr. BOOZMAN.

H. Res. 1158: Ms. NORTON.

H. Res. 1189: Mr. CAO, Mr. UPTON, Mr. GUTHRIE, Mr. EDWARDS of Texas, Mr. COBLE,

Mr. SENSENBRENNER, Mr. GALLEGLY, Mrs. LUMMIS, Mr. ADERHOLT, Mr. PENCE, Mr. HENSARLING, Mr. FLAKE, Mr. CARTER, Mr. SMITH of Nebraska, Mr. BURTON of Indiana, Mr. ROGERS of Kentucky, Mr. BROWN of South Carolina, Mrs. SCHMIDT, Ms. ROSELEHTINEN, Mrs. CAPITO, Mrs. BIGGERT, Mr. WESTMORELAND, Mr. FORBES, Mr. BOOZMAN, Mr. WITTMAN, Mr. MILLER of Florida, Mr. WILSON of South Carolina, Mr. REICHERT, Mr. WALDEN, Mr. BUCHANAN, Mr. CRENSHAW, Mr. YOUNG of Florida, Mr. BILIRAKIS, Mr. FRELINGHUYSEN, Mr. MCKEON, Mr. HELLER, Mr. MCDERMOTT, Mr. FOSTER, Mr. BOUSTANY, Mr. BOYD, Mr. HOYER, Mr. MINNICK, Mr. SCHRADER, Mr. CASSIDY, Mr. MCINTYRE, Mr. BOREN, Mr. MELANCON, Mr. CHILDERS, Mr. ELLSWORTH, Mr. GORDON of Tennessee, Mr. SHULER, Mr. ALEXANDER, Mr. GRIFFITH, Mr. ROGERS of Alabama, Mr. TAYLOR, Mr. REHBERG, Mr. SULLIVAN, Mr. DAVIS of Ten-

nessee, Mr. BOSWELL, Mr. SHERMAN, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. THOMPSON of California, Ms. WOOLSEY, Ms. MATSUI, Mr. BERRY, Mr. GRAYSON, Ms. HIRONO, Mr. SKELTON, Mr. KILDEE, Mr. PITTS, Mr. DUNCAN, Mr. TANNER, Mr. SABLAN, Mr. GARRETT of New Jersey, Mr. ETHERIDGE, Mr. BAIRD, and Mr. BISHOP of New York.

H. Res. 1199: Mr. MORAN of Kansas.

---

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

111. The SPEAKER presented a petition of Wilton Manors Island City, Florida, relative to Resolution No. 3521 supporting H.R. 4530: Student Non-Discrimination Act of 2010; which was referred to the Committee on Education and Labor.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, TUESDAY, MARCH 23, 2010

No. 45

## Senate

(Legislative day of Friday, March 19, 2010)

The Senate met at 2:16 p.m., on the expiration of the recess, and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, the giver of every good and perfect gift, as we continue to labor for liberty, guide our Senators with Your wisdom and might. We don't ask for easy tasks but for a spirit that makes difficult tasks easy.

Provide inspiration and wisdom to the many workers who assist our lawmakers in accomplishing their important work. May these laborers, whose work is often unrecognized, know that You see their diligence and will reward their faithfulness.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Sen-

ator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. BEGICH thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### MEASURES READ THE FIRST TIME—H.R. 4872, S. 3152, AND S. 3153

Mr. REID. Mr. President, there is a bill at the desk. I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 4872) to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13).

Mr. REID. Mr. President, it is my understanding the Republican leader wishes to be recognized at this time.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 3152) to repeal the Patient Protection and Affordable Care Act.

A bill (S. 3153) to provide a fully offset temporary extension of certain programs so as not to increase the deficit, and for other purposes.

Mr. MCCONNELL. Mr. President, I now ask for their second reading, and in order to place the bills on the calendar under provisions of rule XIV, I object to my own request en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The three bills that have been read for the first time will receive their second reading on the next legislative day.

### HEALTH CARE

Mr. MCCONNELL. Mr. President, a little earlier today, the President signed the Democratic health spending bill into law, and he used the occasion to point out a number of things he wants people to know about it. Now he will travel around the country, talking up the bill to a skeptical public. Clearly, Democrats in Washington still do not get it. Americans already know what is in this bill. That is precisely why they do not like it.

Most Americans out there are not celebrating today. They are dumbfounded by the fact that Congress just passed this 2,685-page monstrosity against their wishes, on the backs of their children and grandchildren who they know will have to pick up the tab.

With all due respect, you do not pass a bill the American people did not want and then try to sell them on it. You win their support first, then pass it on a bipartisan basis, just as we have done on every other piece of major social legislation we have passed over the past 45 years.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S1819

People oppose this bill not because they do not know what is in it but because they know exactly what is in it. But for some reason, Democrats in Washington still think they can continue to spin the public on this bill. They are still trying to sell it as the one and only solution to problems that we all recognize exist in our health care system.

They will say this is the only solution to controlling costs. They will say this is the only solution to covering preexisting conditions. They will say this is the only way to keep people from getting kicked off their insurance plans.

The American people are not stupid. They know these are false choices.

They know you do not have to slash Medicare a \$½ trillion to lower premiums.

You do not have to impose job-killing taxes to keep people from being kicked off their plan.

People know you will not save money on health care by spending another \$2.6 trillion on health care.

They know you can do these things without forcing taxpayers to cover the cost of abortions.

They know you do not reduce the deficit by creating a massive new government program that even Democrats have described as a Ponzi scheme.

They know you can go a long way toward doing all of these things without creating a brandnew entitlement at a time when we cannot even cover the cost of the entitlements we already have.

They know Democrats can claim to know the verdict of history all they want, but that history will remember this past week not for giving Americans a boost but from diverting us from the real task of enacting commonsense health care reforms that actually lower the cost of care without undermining the health care system we already have.

Americans wanted us to get at the root of this problem, which is cost. Instead, Democrats are spending trillions more on a system that already costs too much and forcing seniors, small business owners, and middle-class families to pay for it.

You can call that a lot of things. You might even call it historic. But you cannot call it reform.

The fact is, this bill spends \$2.6 trillion at a time of near double-digit inflation, while putting the real problem off for another day. It kicks the can down the road.

Democrats in Washington can celebrate all they want, but the celebration is going to be short lived. The American people are not fooled.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

## HEALTH CARE

Mr. REID. Mr. President, I agree with my distinguished counterpart, the Senator from Kentucky. The American people are not stupid. What we are now going to be on shortly is something we do nearly every year. Since 1980, we have done it 20-some odd times; 80 percent of the time it has been done by Republicans. We are going to move forward and make a good law we just passed and signed by the President today even better.

This legislation will reduce the deficit during the first 10 years by about \$140 billion, over the next 10 years by about \$1.3 trillion. In Nevada, 600,000 people will be able to have insurance who do not have it today; 24,000 small businesses in Nevada will be able to have insurance for their employees. Why didn't they have it before? Was it because they were cheap or mean? No, they could not afford it. The insurance companies had a lock on the system. They could not afford it.

There are so many good things, and I am not going to talk about all of them, in this law the President signed today, but let me talk about one thing because it is very personal. This legislation now will allow someone who turns 24 to still be on their parents' insurance when they are in college. They don't even have to be in college—whatever they do. The reason this is important is, Searchlight, NV, is a place where a hard-working couple had a child somewhat late in life. They love that boy. He is going to school almost full time, working part time. He turned 23 and went off his parents' insurance.

Within weeks of his being 23 years old, he got sick and was diagnosed as having testicular cancer. He was real sick. He has had two surgeries. He has had chemotherapy twice. This has been paid for by his parents, who did not have the money to do this. They exhausted their savings. In America, that is not the way it should be. This law we now have takes care of a lot of people just like Jeff Hill from Searchlight, NV.

For all senior citizens in Nevada who are on Medicare, we can close the doughnut hole; that is, people will not have to be concerned about arriving at a point with their health care delivery system where they no longer have coverage for prescription drugs. We take care of that in this new law. There are bipartisan ideas to attack waste, fraud, and abuse. We expand Medicaid Programs. Doing nothing means double-digit premium increases as high as 60 to 70 percent.

This is a good law, and we are going to make it better.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I move that the Senate adjourn until 3:05 p.m. today, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

Is there a sufficient second? There appears to be.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT) and the Senator from Georgia (Mr. ISAKSON).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 39, as follows:

[Rollcall Vote No. 62 Leg.]

### YEAS—57

Akaka	Franken	Mikulski
Baucus	Gillibrand	Murray
Bayh	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Pryor
Bingaman	Johnson	Reed
Boxer	Kaufman	Reid
Brown (OH)	Kerry	Rockefeller
Burris	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Conrad	Levin	Tester
Dodd	Lieberman	Udall (CO)
Dorgan	Lincoln	Warner
Durbin	McCaill	Webb
Feingold	Menendez	Whitehouse
Feinstein	Merkley	Wyden

### NAYS—39

Alexander	Crapo	Lugar
Barrasso	DeMint	McCain
Bond	Ensign	McConnell
Brown (MA)	Enzi	Murkowski
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Burr	Gregg	Sessions
Chambliss	Hatch	Shelby
Coburn	Hutchison	Snowe
Cochran	Inhofe	Thune
Collins	Johanns	Vitter
Corker	Kyl	Voinovich
Cornyn	LeMieux	Wicker

### NOT VOTING—4

Bennett	Isakson
Byrd	Udall (NM)

The motion was agreed to, and the Senate, at 3:12 p.m., adjourned until Tuesday, March 23, 2010, at 3:13 p.m.

## EXTENSIONS OF REMARKS

IN HONOR OF THE CHESTER COUNTY COUNCIL'S CELEBRATION OF THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA

**HON. JOE SESTAK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. SESTAK. Madam Speaker, today I honor the Boy Scouts of America (BSA) on the occasion of the 100th Anniversary of that remarkable organization and celebration of that milestone by one of the BSA's premier institutions, the Chester County Council headquartered in West Chester, Pennsylvania.

As we well know, the BSA is one of the nation's largest and most prominent values-based youth development organizations. The Boy Scouts provide a program for young people that builds character, trains them in the responsibilities of participating citizenship, and develops personal fitness. For a century, the BSA has helped build the future leaders of this country by combining educational activities and lifelong values with fun. The Boy Scouts of America believes—and, through a century of experience, knows—that helping youth is a key to building a more conscientious, responsible, and productive society.

It is the purpose of the Chester County Council to provide the communities of Chester County in Pennsylvania and the northwestern corner of Cecil County in Maryland with the finest of Scouting programs and services. They have done so admirably since 1910 with the fledgling West Chester Troop 1. The following year a more robust Paoli Troop 1 was formed and today it is the oldest continuously documented troop in Chester County.

The Chester County Council is comprised of four exceedingly well run districts: Lenni Lenape serving communities in the West Chester Area and Unionville-Chadds Ford School Districts; Diamond Rock serving the Phoenixville Area, Great Valley, and Tredyfferin-Easttown School Districts; Horseshoe Trail serving the Downingtown Area, Coatesville Area, Owen J. Roberts, and Chester County portions of Twin Valley and Springfield School Districts; and Octoraro serving the Avon Grove, Kennett Consolidated, Octorara, Oxford School Districts and the Cecil County, Maryland communities of Rising Sun and Conowingo. Together these impressive organizations offer 151 sponsored clubs with approximately 13,000 members.

Joining the Chester County Council in its centennial celebration will be two American heroes, Drs. Vincent and Vance Moss. Vince, a cardiothoracic surgeon, and Vance, a renal transplant surgeon, earned the rank of Eagle Scout at the age of 14. Soon after, they joined the Civil Air Patrol to earn the second highest honor in that organization—the Amelia Earhart award. Drs. Moss and Moss earned their undergraduate degrees in Science from Pennsylvania State University and medical degrees from Temple University School of Medicine.

While at Temple, Drs. Moss and Moss initiated "Increase the Peace" rallies in and around Philadelphia to help combat violent crimes against African Americans. After graduating from medical school, they were each commissioned as a Captain in the United States Army Medical Corps in 1998, and promoted to Major in 2004. In the course of their military service, these two extraordinary humanitarians have deployed to Afghanistan and Iraq as members of the U.S. Army Reserves where they have rendered inestimable assistance to Afghan and Iraqi civilians and our Soldiers in the field. They are role models of the first order and epitomize all that is right in Scouting and the United States of America.

The Boy Scouts' record of achievement is exemplary, and I join all of the good people of the Commonwealth of Pennsylvania and our nation in wishing the Boy Scouts of America and its Chester County Council another century of invaluable service to our community.

TRIBUTE TO THE EXCELLENCE OF SCHOOLS IN THE 4TH CONGRESSIONAL DISTRICT OF IOWA

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. LATHAM. Madam Speaker, I rise today to recognize the excellence of schools in the 4th Congressional District of Iowa, and to specifically congratulate the fourteen high schools in the district that made the list of America's Best High Schools.

U.S. News and World Reports compiled a list of America's Best High Schools by using a formula produced in collaboration with Standard and Poor's School Evaluation Services, a K–12 data research group. Each school was measured and evaluated in a three-step process that analyzes how schools are educating all of their students, then minority and disadvantaged students, and finally their college bound students based on student scores on statewide tests, Advanced Placement tests, and International Baccalaureate tests.

Of the more than 21,500 high schools in the United States, 1,189 earned a Bronze ranking. I am proud to congratulate Corwith-Wesley High School in Corwith; Eagle Grove High School in Eagle Grove; Graettinger/Terril High School in Graettinger; Kee High School in Lansing; Perry High School in Perry; Pomeroy High School in Pomeroy; North Central Junior-Senior High School in Manly; Nashua-Plainfield High School in Nashua; Lake Mills Senior High School in Lake Mills; Turkey Valley Junior-Senior High School in Jackson Junction; Ruthven-Ayrshire High School in Ruthven; Rockwell City-Lytton High School in Rockwell City; West Marshall High School in State Center; and Woden-Crystal Lake-Titonka High School in Crystal Lake; for all earning Bronze rankings. These high schools characterize the high value Iowans have always placed in quality education.

I consider it a great honor to represent the teachers, students, school board members and administrations of each of the fourteen high schools in the 4th Congressional District who made the list of one of America's Best High Schools in the United States Congress. I wish these schools, and all educators in the 4th Congressional District continued academic excellence as they provide a positive impact on our future generations to come.

RETIREMENT OF JOHN B. CATOE, JR., FROM THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Ms. NORTON. Madam Speaker, I rise to recognize John B. Catoe, Jr., who was born and raised in the District of Columbia and returned home to one of the toughest jobs in Washington, the General Manager of the Washington Metropolitan Area Transit Authority (WMATA or Metro, which includes the Metrorail, Metrobus and MetroAccess systems). Mr. Catoe is retiring from the agency he led into a new era, the transition from construction of the system toward a core mission of safely operating and modernizing the system. Undertaking such a dramatic change in culture, attitude, and mission is not for the faint of heart. John Catoe was the first general manager of WMATA to take this giant leap forward, and doing so has not been an easy task.

He met the problems of WMATA as he walked into the agency. The agency itself had churned through four general managers in the span of about a year. In the weeks before and after his arrival in January 2007, four pedestrians were fatally struck by Metrobuses. A train derailed, sending 20 people to the hospital. Fire and smoke caused major delays during the morning commute on the busiest Metrorail line. A Metrobus caught fire. Reports of three suspicious packages disrupted the morning commute on a busy day.

Mr. Catoe convened weekend safety meetings with bus operators and supervisors. He established a mentor program for new bus operators, and saw to it that more than 3,200 bus operators were trained to understand traffic from a pedestrian's perspective. His intense efforts effectively put an end to the spate of pedestrian fatalities involving Metrobus.

Catoe faced nearly insurmountable challenges with grace and strength. He expertly navigated a political thicket within the highest levels of government when billions of dollars in funding were at stake for the extension of Metrorail to Tysons Corner and Dulles Airport. Those extensions will go forward due in no small part to John Catoe's leadership.

He helped bring a successful conclusion to the five-year effort to secure a source of dedicated funding for WMATA, which has been

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

authorized to receive \$3 billion from the federal government and from WMATA's jurisdictional partners. He staved off an attempt by the nation's financial industry to collect hundreds of millions of dollars during the financial crisis of 2008 from leaseback transactions entered into by public transit systems. As a result of his leadership both on Capitol Hill and in the national media, the public transportation industry was saved from a financial domino effect that would have devastated not only WMATA but also major transit systems across the country.

Nearly every major political and historic event that took place in Washington, DC, over the past three years has been a success due, in part, to John Catoe. When a new ballpark opened to serve Washington's first baseball team in 40 years, Metro rose to the occasion, and a trip to the ballpark on Metro became part of the entire Nationals experience. When Pope Benedict XVI chose Washington, DC, as the first city in the United States to visit after his investiture, security needs led to restricted travel around the city. With street closures and tight security, Metro was the primary way that hundreds of thousands of people were able to be a part of the historic visit.

With each of these events, John Catoe was preparing his team for the next opportunity for WMATA to take part in history. At the same time, he was undertaking the painstaking work of transforming his agency from one that for years had construction at its center to one whose primary mission was safe operation.

Glimmers of that realignment and evidence of John Catoe's leadership manifested during the most successful week in Metro's history. Metro's performance was nearly flawless in January 2009, for the most historic Inauguration in modern history, as Metro provided a record 17 hours of rush hour rail service; a unique type of rapid bus service on 23 priority corridors; and special outreach to passengers with disabilities to ensure that they too were part of the most inclusive Inauguration in history. The results of John Catoe's leadership on that day speak for themselves: 1.5 million trips were taken on trains, buses, and paratransit, as millions of people from around the world gathered to witness the historic Inauguration of Barack Obama as President of the United States.

It seems fitting to me that John Catoe was at the helm of Metro when President Obama was inaugurated. Mr. Catoe grew up in a segregated Washington, DC. When he was a young soldier in the U.S. Army Reserve, John Catoe was denied entry into a restaurant in Maryland while fellow white soldiers were permitted inside. Through all of his experiences, John Catoe retained a quiet confidence and serene grace that have sustained him in times of volatility.

This strength was needed on June 22, 2009, when a rail crash took the lives of nine people, including a Metrorail operator. The weeks and months that ensued have been grueling for families of victims, survivors, and the entire Metro family, particularly its leader, John Catoe. The investigation into that accident continues, and we hope that there will soon be an opportunity to remedy the problems that caused the accident, so that we can prevent others, not only at Metro, but at transit systems around the world. We in the region

have been grateful for John Catoe's compassion during an especially tough period and for his resolve to get to the root of whatever problems exist.

In Washington, DC, the capital of the free world, we deserve the finest executives for our public transportation system. John B. Catoe, Jr., is a rare breed of leader who has proven not only that he can deliver results within the highest echelons of governance, but perhaps more importantly, that he can do so with humility, strength, and grace. This city and this region have been blessed by his leadership. I ask, therefore, that my colleagues join me and the National Capital Region in expressing gratitude to John Catoe for his work in leading Metro into a new era.

#### PERSONAL EXPLANATION

#### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mrs. MCCARTHY of New York. Madam Speaker, yesterday, I missed 2 votes. Had I been present, I would have voted as follows.

Rollcall No. 170, on the Motion to Suspend the Rules and Pass H.R. 4810, I would have voted "yea."

Rollcall No. 171, on the Motion to Suspend the Rules and Pass H.R. 4667, I would have voted "yea."

#### END VETERAN HOMELESSNESS ACT OF 2010

SPEECH OF

#### HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 22, 2010*

Mr. HARE. Madam Speaker, I rise today in strong support of H.R. 4810, the End Veteran Homelessness Act. I want to thank Chairman FILNER for his leadership on this issue.

Madam Speaker, on any given night this year, over 100,000 veterans are sleeping on the streets. And this year alone, 300,000 veterans will experience homelessness.

Additionally, there has been an alarming increase in the number of female homeless veterans over the last decade.

Madam Speaker, addressing the National Coalition for Homeless Veterans National Conference, Secretary Shinseki said, "We have a moral duty to prevent and eliminate homelessness among Veterans." I could not agree more and I applaud the Secretary for his commitment to end veterans homelessness in the next 5 years.

Madam Speaker, we have seen how using the media to educate veterans about available services has been extremely effective, and in order to meet this goal, the Veterans Affairs Department should immediately begin conducting media outreach to connect homeless veterans to available programs, services and benefits.

That is why I introduced the Help our Homeless Veterans Act. My bill would direct the

Secretary of the Department of Veterans Affairs to carry out a national media campaign to raise awareness about programs and services available to homeless veterans and those at risk of becoming homeless.

Madam Speaker, I want to thank Chairman FILNER for including my bill into H.R. 4810 and acknowledge the special attention the committee has made to promote awareness of such assistance available to homeless women veterans and homeless veterans with children.

Madam Speaker, with increased awareness about programs to assist homeless veterans, we can end veterans homelessness by 2014.

No veteran should experience homelessness, and this bill ensures our nation's heroes know where to turn to for help. I urge all my colleagues to support H.R. 4810.

#### 25TH ANNIVERSARY OF THE ARCTIC MAN RACE

#### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. YOUNG of Alaska. Madam Speaker, today I would like to recognize the 25th anniversary of the Arctic Man race, one of the most unique competitive events in winter sports. Combining downhill skiing, snowboarding, skijoring, and snowmachine racing, Arctic Man exemplifies Alaska's rugged outdoor spirit.

Every year, 13,000 spectators ride their snowmachines up to a magnificent alpine setting between Anchorage and Fairbanks, Alaska, to watch this impressive spectacle. The race combines athleticism and horsepower as a two-man team, consisting of one downhill skier or snowboarder and one snowmachiner, navigates a perilous course at high speeds. With the firing of the starting pistol, athletes lunge down a 1,700 foot drop in less than two miles, without the aid of ski poles. As the skiers approach the bottom of the hill, they merge into a narrow canyon and grab a rope tethered to their partners' snowmachine to then be towed at speeds of up to 86 miles per hour for 2¼ miles uphill. This difficult intersection can decide the race, as the snowmachine must perfectly match the skier's or boarder's speed and course while also effectively getting the pull rope into the athlete's hand. Once the team reaches the top of the mountain, the skier or snowboarder releases the tow rope and is slingshotted down another 1,200 foot descent to slip through the gates at the finish line.

When these men and women mount the slopes, they exhibit an admirable model of aggressive athleticism and backcountry moxie to make this one of Alaska's most remarkable competitions. As this year's competitors prepare for the Arctic Man challenge, fine tuning their snowmachines, waxing their skis, and practicing their technique, I would like to wish them all good luck and a safe race!

Having attended this event before, I can attest that it is one of the most exciting and exhilarating competitions which I have ever witnessed. I look forward to joining my fellow Alaskans at this year's Arctic Man to celebrate its 25th year of competition.

## TRIBUTE TO MARY GILLEY

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. LATHAM. Madam Speaker, I rise to recognize the retirement of Mary Gilley, the long-time clerk of the Greene County district court, and to express my appreciation for her dedication and commitment to her community in Iowa.

For the past 26 years, Mary has worked with the clerk of court's office, providing dependable service to the community. Since 1985 she has been the clerk of the district court. Before her time with Greene County, Mary worked at a law firm in Fort Dodge, Iowa and was employed as a legal secretary in a private practice.

Mary Gilley has left a permanent mark on Greene County and will be truly missed at the district court, although she plans to continue serving the community through volunteer work. I know that my colleagues in the United States Congress join me in commending Mary for her outstanding service to her community and congratulating her on her retirement. I consider it an honor to represent Mary in Congress, and I wish her a long, happy and healthy future.

# HONORING THE INAUGURATION OF THE IKARIA® DISTINGUISHED PROFESSORSHIP OF CRITICAL CARE

**HON. TAMMY BALDWIN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Ms. BALDWIN. Madam Speaker, I rise today concerning a matter of great interest to me, which is the need for greater progress and support for children and infants who require critical care.

Each year, five million Americans are admitted to Intensive Care Units (ICUs), and it is estimated that as many as half a million of these are infants and children. Indeed, estimates show that nearly one-half of infants and one-third of older children who die each year received ICU care.

While medical technologies advance across the world, there unfortunately have been fewer true breakthroughs in critical care therapies in recent years, including those designed for children and infants. Babies and children are the most fragile of critically ill patients; their ability to thrive and survive should be among our highest priorities.

It is for these reasons that I am pleased to observe that today, the Children's National Medical Center (CNMC) in Washington, D.C. will hold an inauguration ceremony naming The Ikaria® Distinguished Professorship of Critical Care. This chair will be sustained by a donation of \$2.5 million by Ikaria, a bio-therapeutics company which provides acute care products that address significant unmet needs of ICU and neonatal ICU patients. Ikaria, which has manufacturing facilities in my hometown of Madison, Wisconsin, is providing an unconditional gift to endow and establish a distinguished professorship for an outstanding

physician-scientist who will provide leadership to advance the science of critical care medicine.

Madam Speaker, I hope you will join me in recognizing the tremendous potential value of this vital research professorship, and to applaud Ikaria and Children's National Medical Center for their vision and commitment to the health of our Nation's children.

## TRIBUTE TO BRIGADIER GENERAL JAMES L. MELIN

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual from my Congressional District who has dedicated his life to defending the people of this country and preserving the basic freedoms and liberties that we hold dear. Brigadier General James L. Melin, of the United States Air Force Reserve, is a true American hero and today I thank him for his 39 years of service. On Saturday, March 27, 2010, General Melin will be honored at his retirement and Change of Command Ceremony at March Air Force Base in California.

General Melin was commissioned through the ROTC program at St. Louis University, Missouri, and graduated in 1971. After graduation, he began active duty and completed his flight training at Reese Air Force Base, Texas, in 1974.

During his career, General Melin's assignments included Administrative Officer, 1550th Aircrew Training Test Wing at Hill Air Force Base; KC-135 Pilot, 28th Bombardment Wing, Ellsworth Air Force Base; KC-135 Pilot and Mission Development Officer, 93rd Bombardment Wing, Castle Air Force Base; Instructor Pilot, 931st Air Refueling Group, Grissom Air Force Base; and Evaluator Pilot, Chief of Plans, Chief of Standardization and Evaluation, Director of Training, Operations Officer, and Operations Group Commander, 940th Air Refueling Wing, McClellan Air Force Base.

In 1997, General Melin commanded the 434th Operations Group, Grissom ARB, Indiana and later assumed command of the 434th Air Refueling Wing. Starting in 2006, General Melin took command of the 452nd Air Mobility Wing at March Air Force Base in California.

Throughout his exemplary career, General Melin has flown over 5,500 hours and participated in tanker operations in Desert Shield, Desert Storm, Joint Forge, Noble Eagle, Enduring Freedom and Iraqi Freedom.

General Melin's awards include the Legion of Merit with oak leaf cluster, Meritorious Service Medal with two oak leaf clusters, Aerial Achievement Medal, Air Force Commendation Medal, Air Force Achievement Medal, Air Force Outstanding Unit Award with "V" device and four oak leaf clusters, Southwest Asia Service Medal with two bronze stars, Global War on Terrorism Service Medal, Kuwait Liberation Medal (Kingdom of Saudi Arabia), and Kuwait Liberation Medal (Government of Kuwait).

General Melin will retire from the United States Air Force service with more than just his experience, decorated career and remarkable accomplishments; his enduring legacy will

serve as a shining example and constant reminder of what it means to be an American patriot and leader. I am grateful for his service and salute him as he retires from the Air Force.

## TRIBUTE TO DALI AND FELIX GONZALEZ

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. LATHAM. Madam Speaker, I rise today to recognize and congratulate Dali and Felix Gonzalez, students at Perry High School in Perry, Iowa, for their efforts in raising money to help those devastated by the recent earthquake in Haiti.

Dali and Felix are siblings who are originally from the Dominican Republic. Growing up in such close proximity to Haiti and having friends and acquaintances still living in Haiti, they felt a calling to help those in need. Felix, who is an avid artist, designed posters to demonstrate how close he used to live to the devastated region, and Dali made English and Spanish announcements about the fundraising effort over the school's PA system. Over several days they collected over \$150.00 at their donation setup in the lunch room. It is estimated that Dali and Felix's efforts will feed more than 750 people.

This collective effort at Perry High School is an example of what Iowa is all about—Iowans motivated and dedicated to personally helping people in need, and in this case those who have lost everything. I consider it an honor to represent Dali and Felix Gonzalez, all of those who donated money to Haiti, and ESL Instructor Julie Walstrom in the United States Congress. Again, I congratulate Dali and Felix for their great act of compassion and charity.

## NATIONAL GUARD EMPLOYMENT PROTECTION ACT OF 2010

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 22, 2010*

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H.R. 1879, "National Guard Employment Protection Act," a bill that amends title 38, United States Code, to provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty.

In these challenging economic times, with returning veterans experiencing unemployment rates in the double digits, we must do more to provide for our veterans' basic needs. This legislation shows that the U.S. is grateful for our veterans' service. Just as the military pledges to leave no soldier behind on the battlefield, this nation will leave no veteran behind when they come home.

National Guard is America's oldest armed force—dating back to 1636—and the only branch that serves both the Federal and State governments. The Guard answers to both the president of the United States and the governors of their respective states and territories.

This means that the National Guard can be mobilized any time natural disasters or other emergencies occur within America's borders, and also serve alongside U.S. combat forces in other parts of the world.

The Guard's roots go back to North America's earliest colonial militias: farmers, shopkeepers and everyday citizens willing to put their lives on hold and pick up their weapons to defend their communities and their country. Today, Citizen-Soldiers live, work and go to school in cities and towns all across America and its territories. And just as they have for over 370 years, the men and women of the National Guard are trained, willing and proud to assist their neighbors during emergencies, and to protect their nation whenever they are called.

This bill allows us to show our appreciation and honor the service of veterans who have served in the National Guard. These veterans have given great contributions and made incredible personal sacrifices so that all of us in this country might live in a safe and secure nation and world.

Madam Speaker, whether it is the ultimate sacrifice of life or the loss of limb or the loss of time with family and friends, we owe our veterans an enormous outstanding debt of gratitude. The debt of gratitude we owe to the soldiers, sailors, marines, and airmen who answered their nation's call and made supreme sacrifices can never be repaid. But the nation can follow President Lincoln's admonition to 'care for him who has borne the battle, and for his [family].' Indeed, it is the least we can do.

It is out of my profound respect and gratitude for all who wear and have worn the uniform of the United States that I continue to work so to support legislation that will ensure that veterans receive the health care, job opportunities, housing assistance, and educational benefits they deserve. As their slogan says, "Always ready, always there. That is the National Guard." Now, it is time for us to be there for them.

Madam Speaker, I am honored to express my strong support for this bill and I urge my colleagues to join me in doing what is only right—taking care of and honoring our heroes who serve to protect us.

“BE ABOUT PEACE DAY”

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. PAYNE. Madam Speaker, I rise to commend my constituents in South Mountain Peace Action of Maplewood and South Orange, NJ. These citizens work in their community on behalf of peace and they hold an annual all-day event called “Be About Peace Day” that attracts hundreds of children and parents. Currently, South Mountain Peace Action is organizing a public forum called “Israeli-Palestinian Peace: The Obama-Clinton Program for a Two-State Solution and How We Can Support It” that will be held on March 24, 2010, at Maplewood Memorial Library. The meeting will enable residents to increase their understanding of the issues and to learn how to get involved themselves in the peace process.

There is no greater cause than peace and there is no issue more important for achieving

peace than resolving the Israeli-Palestinian conflict. In February, I visited Israel and the Palestinian Territory as part of a congressional delegation and met with leaders of government and civil society to assess the state of American efforts to end the region's conflicts.

We learned much on the trip—seeing firsthand the urgency shared across the region to end the Israeli-Palestinian conflict through a two-state solution. We met the Deputy Prime Minister of Israel, the Prime Minister of the Palestinian Authority in Ramallah and civil society leaders across the region. In Israel, we heard from settlers and human rights activists. Over and over again, we heard about the importance of American leadership in efforts to end the conflict diplomatically. It is why I am encouraged by groups like South Mountain Peace Action, who are supporting the peace process at the grassroots level.

TRIBUTE TO THE LIONS CLUB OF  
OGDEN, IOWA

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. LATHAM. Madam Speaker, I rise today to congratulate the Lions Club of Ogden, Iowa on their 80th anniversary. The club has been active since November 29, 1929 in Ogden, which is located in Boone County in Central Iowa.

The International Lions Club is a volunteer organization which works together to answer the needs that challenge communities around the world, including an end to preventable blindness, cleaning local parks and providing essential supplies to victims of natural disasters.

In records that date back 40 years, the local organization has donated over \$88,000 to various organizations including: Ogden High School scholarships, eye exams and glasses for the needy, the food pantry, Boy Scouts, Relay for Life, and more. The group meets bi-monthly and has 36 active members who honorably live by their motto, “We serve.”

Again, I congratulate the Lions Club of Ogden and current club president, Harry Dannen, on this historic anniversary. The Lions Club of Ogden is an example of what Iowa is all about—citizens motivated and dedicated to improving their communities and helping their neighbors in need. It is an honor to represent each member of this remarkable group in the United States Congress, and I wish them an equally storied future.

TRIBUTE TO COMMANDER FATORA

**HON. NORMAN D. DICKS**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. DICKS. Madam Speaker, I rise today to pay tribute to an outstanding Naval Officer, Commander Jeffrey Fatora, and to recognize his dedicated service to our Nation. It is a great honor for me to thank Commander Fatora for his distinguished service in the Submarine Force. Commander Fatora has proudly and selflessly served our Nation for 23 years,

and he will retire from the naval service on July 1 of this year.

It was during his last assignment to the Secretary of the Navy's Appropriations Matters office that I first came to know Commander Fatora. In this capacity, he has proved to be an invaluable link between the Navy and me, my staff, and the Appropriations Committee. For nearly four years Commander Fatora provided valuable assistance to me and to Members of the House Appropriations Committee. He often traveled with Members of the Committee—sometimes into combat zones—and always ensured that the Committee had direct access to Department of Defense facilities and combat units worldwide.

On every occasion, Commander Fatora performed his duties in an exacting and precise manner. But far more important to me and the members of the Appropriations Committee was the effectiveness by which he kept us informed of important developments within the Department of the Navy, allowing us to make important decisions on resource allocation based upon the facts.

Commander Fatora began his submarine service aboard USS *Indianapolis* (SSN 697) in Pearl Harbor, completing two Western Pacific Deployments. As a member of the commissioning crew of USS *Louisiana* (SSBN 743), he was the very first officer qualified as Officer of the Deck on the ship. But clearly, his most notable service was as the Weapons Officer aboard USS *Providence* (SSN 719), which was the first American warship to arrive off the coast of Pakistan following the attacks of September 11th, 2001. As the leader of the *Providence* strike team, he ensured that 25 Tomahawk Cruise Missiles found their targets in Afghanistan during the opening salvos of Operation Enduring Freedom.

Later, as a Staff Officer for the North Atlantic Treaty Organization, he worked diligently with a multi-national task force to execute the anti-terrorist Operation Active Endeavour. Finally, serving as Executive Officer aboard USS *Pittsburgh* (SSN 720), he guided the crew through a very challenging Engineered Overhaul at Portsmouth Naval Shipyard.

In closing, on behalf of the House of Representatives and especially my colleagues on the Appropriations Committee, I want to express my thanks and appreciation for the special contribution Commander Fatora has made during his naval service. We wish him and his family continued success and the traditional naval wish of “fair winds and following seas.”

RECONCILIATION ACT OF 2010

SPEECH OF

**HON. GLENN THOMPSON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, March 21, 2010*

Mr. THOMPSON of Pennsylvania. Mr. Speaker, for the first time in history, the House of Representatives will pass a life-changing measure without a single Republican vote in favor. That vote will impact one-sixth of our U.S. economy and affect every man, woman and child in the nation, now and for generations to come.

In almost every poll, the majority of Americans didn't like this bill or the manner in which it was placed before the Congress for a vote.



According to the most recent Gallup Poll, 66 percent of Americans think the Democrats' massive government takeover of health care would make things worse or make no difference for themselves and their families.

I believe we have started down a path of total government takeover of our health care system at a cost of almost \$1 trillion now, and untold costs to be paid later in taxes, fines and loss of care. As a health care professional, my evaluation of the measure is that it will decrease access to health care, increase costs, put a bureaucrat between you and your physician and place quality care as an afterthought.

I fear the impact on our rural hospitals and I fear this measure puts us on a path of no return, which will be spoken about in depressing and critical terms for decades to come.

One hundred and thirty economists wrote to the President March 18th to tell him that the Health Care bill is a job-killer. Speaker of the House John Boehner released the contents of that letter.

They wrote: "The bill raises taxes by almost \$500 billion over ten years. A significant portion of these tax increases will fall on small business owners, reducing capital and limiting economic growth and hiring."

And they wrote: "The bill will impose a tax of \$2000 per employee on employers with more than 50 employees that do not provide health insurance. The bill will also tax employers that offer health coverage deemed 'unaffordable' by the government. These new taxes on employers will reduce employment or be passed on to workers in the form of lower wages or reduced hours."

It doesn't take much deduction to figure out that if you have 49 employees now, you will never hire the 50th employee. Why would you bring that burden on your business?

Those with 53 or 54 employees will potentially fire four or five employees in order to go below the mandate.

The economists concluded, "The new and higher taxes on America's small businesses and workers included in the bill are detrimental to job creation and economic growth, especially now given the fragile state of the economy."

But the bill will create jobs—for the tax collector. Some 16,500 people will be hired as auditors, agents and other employees needed by the Internal Revenue Service to collect the hundreds of billions in new taxes. The cost of enforcement is estimated to be between \$5 and \$10 billion over 10 years and it is not paid for in the bill.

The wealthier American people will be taxed to subsidize those who cannot afford their health care. And few will be able to afford health care as the mandates take shape and insurance companies are unable to make a profit under the new rules. The eventual result will be rationing of care.

Rural hospitals already suffer from low reimbursement rates under Medicare and Medicaid. Those rates are eighty to ninety cents for one dollar of health care value in Medicare and forty to sixty cents for one dollar of health care value in Medicaid. When the federal government controls the private health care industry as well, no one will be paid the full cost of medical care.

The bill cuts more than \$200 billion from the Medicare Advantage program.

Rural hospitals now get by with a one to three percent profit per year. If that evaporates, small hospitals will close.

Republicans have been vocal in their support of the need to fix our health care system. We have dozens of bills including the "Putting Patients First Act"—a bill I have co-sponsored. It allows purchase of health care across state lines, deals with pre-existing conditions and allows parents to keep their children on their health care plans until age 26. It does all of this without taxes or cuts in Medicare.

We could have agreed on a number of issues. Instead, we have more than 3,000 pages of Senate bill, reconciliation package and manager's amendment that we will be unfolding and deciphering for years to come. The undiscovered, perhaps unintended, consequences will be continuing surprises.

For example, according to The Wall Street Journal, Caterpillar Inc. announced that the bill will increase its health-care costs by \$100 million in the first year—no doubt giving it, and many other American companies, another reason to move American jobs to foreign countries. I fear this is the tip of the iceberg.

### WRESTLEMANIA COMES TO GLENDALE/PHOENIX

#### HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. PASTOR of Arizona. Madam Speaker, I rise today to welcome WWE and WrestleMania XXVI (26) to Glendale's University of Phoenix Stadium on Sunday, March 28, 2010. WWE will take over the greater Glendale/Phoenix area during WrestleMania Week from March 24–March 29, 2010.

We are very pleased to welcome the 70,000 fans from 26 countries, all 50 states, and more than 130 members of the international media who will descend upon the Valley of the Sun.

We welcome WrestleMania, the WWE, and their fans because they will experience the culture of our city, the great weather, and have the opportunity to patronize our wonderful businesses. For the last three years, WrestleMania has averaged nearly \$50 million in new economic impact into the local economy. We are happy to have this investment coming to the Glendale and Phoenix regions.

In addition to WrestleMania, WWE has brought a variety of wonderful community activities: WrestleMania Axxess—WWE's interactive fan festival; WrestleMania Art—fund-raiser benefitting the Make-A-Wish Foundation of Arizona and Phoenix Children's Hospital; the finals of the WWE's international literacy program, WrestleMania Reading Challenge; a WrestleMania Pro-Am Golf Tournament with our beloved Arizona Cardinals; the WWE Hall of Fame Induction Ceremony; and WWE's Monday Night Raw.

WrestleMania XXVI will be televised to a global pay-per-view audience in 75 countries.

WrestleMania is truly a family-friendly event that creates an atmosphere where families from around the world can join together to celebrate their love for WWE and their favorite "Superstars" and "Divas."

Madam Speaker, I would like to thank the WWE and its fans for choosing to come to Glendale and Phoenix and wish them a wonderful Arizona stay.

ENSURING THAT AMERICAN FAMILIES AND SMALL BUSINESSES RECEIVE THE FULL BENEFITS OF COMPETITION IN HEALTH CARE AND HEALTH INSURANCE REFORM

#### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. CONYERS. Madam Speaker, Sunday night, Congress voted to affirm the right of all Americans to quality health care at affordable cost, by fixing our country's broken health insurance marketplace. This is an effort that I and others have been working on for decades, and while the bill does not yet achieve everything we have sought, it is a monumental step forward, of which those who voted to take it, in the face of the relentless campaign of disinformation bankrolled by its opponents, can all be rightly proud.

Now, as this historic effort moves from the legislative arena to implementation, I would like to say a few words, as Chairman of the House Judiciary Committee, about the critical role for competition in making the health care insurance marketplace work effectively to serve consumers and promote prosperity—and the assistance that the federal antitrust enforcement agencies can and should provide in keeping competition considerations at the forefront.

In implementing this comprehensive legislation, the Department of Health and Human Services will be called upon, as will other federal agencies, and the States, to make assessments in a variety of contexts as to whether the marketplace is functioning properly, or whether abuses are occurring. In making these assessments, and in deciding on appropriate steps to address any abuses or dysfunction, the federal agencies and the States can benefit greatly from competitive analysis provided by our federal antitrust agencies, the Department of Justice's Antitrust Division and the Federal Trade Commission. I would urge them to make full use of this assistance.

Both the Antitrust Division and the FTC have a long history of advising other federal agencies, as well as State legislatures and agencies, on ways to formulate policies and make regulatory decisions consistent with maintaining and promoting healthy competitive market incentives. In addition to formal advice, generally in the form of public comments, which both federal agencies provide in areas in which they have developed expertise, the Antitrust Division routinely provides informal guidance to other federal agencies through interagency consultation and through OMB-supervised interagency review and comment.

While the advice of the two antitrust enforcement agencies is non-binding, it is generally given substantial weight. The two agencies are widely recognized as having developed, in the course of antitrust investigations and enforcement actions over many decades, unmatched experience and expertise in analyzing markets for how competition is working, or not working. They can assess whether lack of effective competition is behind a problem, or is worsening it, and if it is, can recommend ways to unblock competition as part of any regulatory response.

Even when competition cannot fix a dysfunctional market on its own entirely, it will almost always contribute to the solution, by ensuring that market incentives are aligned in a healthy fashion, in the direction of serving consumers rather than taking advantage of them.

Competition advice from the federal antitrust enforcement agencies will not only help ensure that health care and health insurance regulatory policy is appropriately sensitive to competitive conditions and dynamics in the markets involved. By helping place regulatory policy on a sound analytical footing, it will strengthen it against any potential legal challenge by those opposing reform efforts. Moreover, the very fact of antitrust oversight in connection with this advisory analysis will help deter anticompetitive behavior.

To take just one important example, the new law creates health insurance exchanges, to be set up by the States, to help make sure families and small businesses have meaningful choices for health insurance. In order for these exchanges to achieve their purpose, they need to attract not just the insurance companies that are already dominant in their market, but other insurance companies, including new ones eager to establish themselves. Dominant health insurance companies have many ways of protecting their dominance by making it harder for others to make competitive inroads. And they have powerful anticompetitive incentives to do just that.

Accordingly, we can expect the dominant health insurance companies to be offering plenty of their own advice to State legislatures and agencies on how to structure the new exchanges, and we can expect that their advice will be tailored to favor their own interests. Their self-serving advice, if followed, could have the potential to stop competition in its tracks, and deny consumers the benefits of choice, innovation, and affordability that competition brings.

The more the States can keep promotion of competition in their sights as they design and implement the exchanges, the better those exchanges will work to widen the effective choices available for the families and small businesses who need them. And the federal antitrust enforcement agencies can be a valuable source of expertise in ensuring that the exchanges are designed and implemented so as to harness the power of competitive market incentives as fully as possible.

Along with the antitrust savings clause in the text of the health care bill, which ensures that the normal operation of the antitrust laws is in no way altered or disrupted, use of this well-established advisory role will help ensure that the health insurance marketplace is fixed in a manner that makes maximum use of competitive market forces to achieve these important objectives for American families and small businesses.

#### END VETERAN HOMELESSNESS ACT OF 2010

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 22, 2010*

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H. Res. 4810,

"End Veterans Homelessness Act of 2010" introduced by my distinguished colleague from California, Representative FILNER.

H. Res. 4810 will amend Title 38 of the United States Code, in order to make certain improvements in the services rendered to homeless veterans under the laws that are administered by the Secretary of Veterans Affairs. Improvements in services rendered to homeless veterans will include increases in the amount authorized to be appropriated for comprehensive programs, adjusted payments for providing various services such as furnishing services to homeless veterans, supported housing program outreach, financial assistance for low-income families, and the promotion of awareness of available Department of Veterans Affairs programs.

Throughout our country's history, our brave men and women in uniform have made the ultimate sacrifice to protect our freedom around the world, and I am proud to support legislation that will aid our nation's veterans. I have worked tirelessly to pass legislation that will give our veterans the benefits that they need and deserve. I have supported legislation, such as H. Res. 6081, "The Heroes Earnings Assistance and Relief Tax of 2008", H. Res. 1054, "Honoring the service and achievements of women in the Armed Forces and female veterans", H. Res. 2790, "To establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health as amended", and H. Res. 3480, "Let Our Veterans Rest in Peace Act of 2008" to support our veterans. My fellow Americans, we must remember that it is because of them that we are able to continue to be a democratic nation. All Americans must realize that we owe our liberty to those veterans who have served their nation 110% without fear. They definitely deserve our assistance and support in every way possible. I have always and will continue to fight for legislation that protects our veterans.

I really find it unacceptable that an estimated 131,000 veterans are homeless on any given night after honorably serving their country. We are doing our veterans a great disservice. We owe our veterans the utmost respect, appreciation, and definitely a home to come home to after serving as a member of our armed forces. In these challenging economic times, we must do more to provide for our veterans' basic needs. H. Res. 4810 shows that all Americans take pride in our veterans' service to this nation, and just as the military doesn't believe in leaving a soldier behind on the battlefield, I believe that I speak for all Americans that we don't believe in leaving our veterans behind . . . we must help them push forward!

Strengthening comprehensive programs by investing in our veterans, requiring housing counselors to grant more housing opportunities at each Veteran Affairs center, and paying attention to homeless women veterans and veterans with children is the right thing to do. I would like to urge my colleagues to support this powerful piece of legislation for our veterans that proudly support our freedoms and defend our U.S. Constitution. Again, I would like to commend all of our soldiers for their unselfish service and devotion to the welfare of others.

#### HONORING HEALTH4HAITI

**HON. JOHN T. SALAZAR**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. SALAZAR. Madam Speaker, I rise today to honor Health4Haiti, an international aid group founded by Pueblo surgeon Dr. James Smith. For many years, Dr. Smith has been traveling to Haiti in the wake of devastating hurricanes to provide crucial surgeries to impoverished people across the country. In November of 2009, Health4Haiti and Dr. Smith were awarded the International Humanitarian Service Award in recognition of their remarkable dedication and service to the Haitian people.

We are all familiar with the incredibly destructive earthquake that struck Haiti on January 12, 2010. The images from that terrible series of days will stay with us forever. However, the disaster was also an incredible demonstration of the compassion of the people of Colorado's Third District. When the first reports from Haiti came in, several Pueblo residents immediately mobilized to visit Haiti and offer their assistance. These incredible Pueblans were among the first U.S. Search and Rescue Teams to arrive. All doctors and nurses, they immediately began treating wounded Haitians, saving lives and delivering vital aid and comfort. I would like to commend Dr. James Smith, Dr. Ginger Vaughn, Dr. Benjamin Massey, Debbie Valdez, Eric Miller, and Mary Anne Woods for their generosity and humanity in the face of overwhelming tragedy.

This group of people and Health4Haiti have inspired countless others to serve those less fortunate, and I honor them for their work.

#### TRIBUTE TO BRYANT ELEMENTARY SCHOOL

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. LATHAM. Madam Speaker, I rise today to recognize and congratulate the fifth grade students at Bryant Elementary School in Boone, Iowa, for their efforts in raising money to help those devastated by the recent earthquake in Haiti.

Students Brady Wright, Isidro Gonzalez and Erica Mehlhaus put their heads and hearts together to come up with a way to raise funds for the American Red Cross' Haitian relief efforts. In addition to accepting local donations, these students developed a fun and competitive project called "Penny Wars" which took place in February for three weeks. This school-wide contest was implemented to see which class could collect the most pennies. Containers, labeled for each classroom, were filled with pennies, and students could add silver coins to the containers of opposing classrooms to reduce that class's penny count. To further entice students to contribute, students were able to chew gum and wear hats in class when they donated quarters. The class with the highest penny credit earned a pizza party.

The collective effort at Bryant Elementary School is a characteristic of what Iowa is all about—citizens motivated and dedicated to

help people in need, and in this case those who have lost everything. I commend all the students, their families and especially their guidance counselor, Karlene Hughes, and Principal Pam Nystrom, who facilitated this heartwarming effort with the students. I consider it an honor to represent each of these fifth graders and all of those involved in "Penny Wars," in the United States Congress and again I thank them for their great act of kindness and charity.

# RECONCILIATION ACT OF 2010

SPEECH OF

**HON. DARRELL E. ISSA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, March 21, 2010*

Mr. ISSA. Mr. Speaker, as Americans, one of our most sacred and fundamental rights is the right to protest that with which we disagree, and I am encouraged to see Americans exercising that right by joining together at the Capitol to voice their opinion on health care reform. The actions of a few individuals, revealed last week in news reports, who shouted profane and bigoted language at members of Congress, has no place in this debate or any other. These actions are deeply regrettable. Across our nation, Americans have engaged in peaceful demonstrations all across the country voicing their opinions in townhalls, rallies, marches and protests. By engaging in robust, civil debate, we honor the highest and best tradition of our democracy.

HONORING UNITED STATES  
PARALYMPIAN ADAM PAGE OF  
LANCASTER, NEW YORK

**HON. CHRISTOPHER JOHN LEE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. LEE of New York. Madam Speaker, I ask that the House join me in recognizing Adam Page of Lancaster, New York, a proud member of the United States Paralympics sled hockey team, who most recently won a gold medal in the Winter Games at Vancouver.

Currently a senior at St. Mary's High School in Lancaster, Adam was born with spina bifida, a birth defect caused by the incomplete formation of vertebrae. His parents were told that Adam would never walk, probably would be blind and probably retarded. Adam had other ideas.

At the age of eight, Adam was determined to do what so many of his fellow Western New Yorkers do growing up—play ice hockey. He started his formal hockey playing days with the Buffalo Sabres sled hockey club team, and his hard work and hockey skills soon propelled him to the junior national team, and a year after that Adam was named to the senior national team.

Adam scored his first goal at the 2008 IPC Ice Sledge Hockey World Championships, and in addition to his participation on this year's gold medal-winning Paralympian team, he has also been a member of the gold medal-winning 2010 Japan Para Ice Sledge team, the 2009 Paralympic Team of the Year, the gold

medal-winning 2009 World Champion team, and the 2008 bronze medal-winning IPC Ice Sledge Hockey World Champion.

Adam has overcome so much in his life, and it is a testament to his hard work and dedication and the support of his family and friends who have stood by his side.

I again ask that the House join me in congratulating Adam on winning the gold medal as a member of Team USA's Paralympics sled hockey team, and wish him much success in the future.

RECOGNIZING SUSAN CAMPBELL  
AS THE OKALOOSA COUNTY SUP-  
PORT PERSON OF THE YEAR

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Mrs. Susan Campbell as the Okaloosa County, Florida Support Person of the Year for the 2009–2010 school year. I am honored to acknowledge her exemplary achievements and her dedication to the students and teachers of Northwest Florida.

Susan has worked as a school clerk and guidance counselor at Niceville High School for the past eight years. Over her career, she has been one of the most dedicated resources for Niceville's students. She teaches financial aid workshops, schedules college visits, mentors new students, and provides parent/student seminars on a range of college-related topics. She also takes a special interest in Niceville's seniors, preparing them for graduation and life after high school. The high school's seniors regularly earn close to \$10 million in scholarships every year based in large part on Susan's hard work.

For her dedication both inside and outside the classroom, Susan has been recognized on numerous occasions. She is a supporter of the American Heart Association and the American Cancer Society, as well as a volunteer for the Covenant Hospice. She and her husband Wayne Campbell are members of the Alexis de Tocqueville Society for their contributions to the Okaloosa County community through United Way. Susan's other volunteer service includes the Northwest Florida State College Meagan Lynne Campbell Nursing Scholarship and the Emerald Coast Children's Advocacy Center.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize Susan Campbell as the Okaloosa County Support Person of the Year. Her passion for her students is commendable and her dedication to her profession and her community is highly deserving of this award. My wife Vicki and I wish Susan, her husband Wayne, and her family all the best for the future.

HONORING DAVID KLEPAREK

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to

the people of Chautauqua County by Mr. David Kleparek. Mr. Kleparek served his constituency faithfully and justly during his tenure as a member of the Chautauqua County Legislature, serving district 24.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. Kleparek served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Kleparek is one of those people and that is why, Madam Speaker, I rise in tribute to him today.

# RECONCILIATION ACT OF 2010

SPEECH OF

**HON. RANDY NEUGEBAUER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, March 21, 2010*

Mr. NEUGEBAUER. Mr. Speaker, I rise today to voice my opposition to this government takeover of health care. I believe improvements could be made to the existing health care system, but this government takeover of one-sixth of the economy is not the right answer. It will not lower the cost of health care, but will add layers of bureaucracy and confusion to the existing system.

I am not alone in opposing this flawed, irresponsible bill. In the past week, more than a thousand constituents from the 19th District of Texas have emailed and called me to express their opposition, and thousands more have contacted me in opposition since this debate began last year.

My constituents don't understand why the House leadership insists on going down the road of trying to enact a government takeover of health care that our nation can't afford and that will not improve their health care. They don't understand why leaders in Congress refuse to listen to the American people. They do not support this expansion of government; they do not support their tax dollars funding coverage for abortion; and they do not want us to approve this legislation.

We must ask ourselves whether this legislation advances the principle of empowerment or expands entitlement. I strongly believe government should empower individuals to be successful in the economy, rather than enact policies that make them more dependent on the federal government. Our Founders believed in empowerment, but this legislation shows how far this Congress has strayed from this principle.

This legislation clearly expands entitlement and blatantly fails to empower Americans. The policies being proposed today will create more uncertainty for employers trying to create new jobs, increase costs for families and create new unfunded liabilities for the federal government. We cannot continue down this path of entitlement; it simply does not work.

This bill increases government spending by \$1.2 trillion and increases taxes by \$569 billion. It also includes unfunded mandates that states cannot afford in the form of Medicaid expansions.

Rather than lowering health care premiums for families by up to \$2,500, as the Republican plan would do, this bill does nothing to help contain rising health care costs—the chief health care concern of most Americans. In fact, the Congressional Budget Office reports that the reconciliation bill will have a similar effect on premiums as the Senate bill, which is to increase insurance premiums for families by \$2,100 per year compared to passing no bill at all. Up to 9 million Americans who currently have health insurance coverage from their employer could lose it under this bill.

I am deeply disappointed that this legislation fails to provide robust protection for the unborn and for taxpayers who oppose their dollars going toward abortion.

Over the next 10 years, this legislation will increase the federal government's commitment to health care by \$400 billion. At a time when the federal deficit is \$1.5 trillion and the national debt is projected to triple by 2020, it is completely irresponsible for Congress to add more unsustainable government spending to the tab that our children and grandchildren will have to pick up.

We can make health care more affordable, available and accessible for everyone without nationalizing the system, raising taxes and piling on the debt. We need to sit down, in a bipartisan way, and work on real reform that will help American families. That is what the American people want and what they deserve.

On behalf of the 19th Congressional District, I stand in strong opposition to this legislation. This Congress must do better; the American people demand that we do better. We must reject this bill.

#### PERSONAL EXPLANATION

### HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor the week of Tuesday, March 9, 2010 through Friday, March 12, 2010.

For Tuesday, March 9, 2010, had I been present I would have voted "no" on Rollcall vote No. 92 (on motion to suspend the rules and agree to H.R. 3650), "aye" on Rollcall vote No. 93 (on motion to suspend the rules and agree to H. Res. 1069), "aye" on Rollcall vote No. 94 (on motion to suspend the rules and agree to H. Res. 935).

For Wednesday, March 10, 2010, had I been present I would have voted "no" on Rollcall vote No. 95 (on agreeing to H. Res. 1146, which provides for consideration of H. Con. Res. 248), "aye" on Rollcall vote No. 96 (on motion to suspend the rules and agree to H. Res. 1088), "aye" on Rollcall vote No. 97 (on motion to suspend the rules and agree to H.R. 4621), "no" on Rollcall vote No. 98 (on agreeing to H. Con. Res. 248), "aye" on Rollcall vote No. 99 (on motion to suspend the rules and agree to H. Con. Res. 249), "aye" on Rollcall vote No. 100 (on motion to suspend the rules and agree to H. Res. 1144).

#### EARMARK DECLARATION

### HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. PETRI. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding a provision classified as an earmark in H.R. 3619, the Coast Guard Authorization Act of 2010, which passed the House on October 23, 2009.

Requesting Member: The Honorable THOMAS E. PETRI

Bill Number: H.R. 3619

Account: No funding, legislative provision in the Coast Guard Authorization Act

Legal Name of Requesting Entity: VCNA Prairie Illinois Inc.

Address of Requesting Entity: 7601 W. 79th Street, Bridgeview, IL 60455

Description of Request: The legislative provision in the Coast Guard authorization bill would restore Coastwise Trading privileges to the barge *St. Marys Cement*. From the time of construction in 1986 to 2000, *St. Marys Cement* was registered under the U.S. flag with Coastwise Trading privileges. In 2000, the *St. Marys Cement* relinquished Coastwise Trading privileges upon being reflagged under the Canadian flag. Operations have since changed and, in order to maximize efficiency of its U.S. operations, *St. Marys Cement* proposes to operate the barge directly between U.S. ports (including several in Wisconsin). On September 9, 2009, *St. Marys Cement* received a Certificate of Documentation, reestablishing the vessel as an American flagged vessel. Since the vessel was once registered outside the U.S., the only way for *St. Marys Cement* to return to operating directly between U.S. ports is to restore its Coastwise Trading privileges legislatively. Allowing the barge to do so would add American maritime jobs and provide Great Lakes-based manufacturing plants additional business opportunities. The cost of transporting raw materials to U.S. manufacturing facilities in Ohio, Michigan, and Wisconsin would be reduced. This was a joint request with Representative BART STUPAK and Representative STEVE KAGEN, M.D.

IN HONOR OF NAVY SEAL CHIEF  
PETTY OFFICER ADAM BROWN

### HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. ROSS. Madam Speaker, I rise today to honor a true American hero. On March 18, 2010, our state and nation lost a great patriot when Navy SEAL Chief Petty Officer Adam Brown, age 36, died in Afghanistan from injuries sustained during combat operations in support of Operation Enduring Freedom.

Chief Brown was raised in Arkansas by his loving parents, Larry and Janice Brown, and graduated from Lake Hamilton High School in Hot Springs. Chief Brown also attended Arkansas Tech University in Russellville where he played football. Although I never had the honor to meet Chief Brown, I extend my deepest condolences on behalf of all Arkansans to

his family, friends, colleagues, and acquaintances for this devastating loss.

Chief Brown enlisted in the U.S. Navy in 1998 and joined the Navy SEALs in 2001. Since that time, he has been assigned to various East Coast-based SEAL teams where he made several combat deployments in support of the global war on terror, distinguishing himself during numerous combat operations in Iraq and Afghanistan. He carried out his duties with pride in his country and without reservation, and each of us owes him our eternal gratitude for his selfless sacrifice.

Chief Brown was a highly-decorated combat veteran and received numerous awards and citations during his 12-year Navy career, including the Bronze Star with combat "V" distinguishing device; Purple Heart; Joint Service Commendation Medal with combat "V" distinguishing device; Joint Service Achievement Medal; five Navy and Marine Corps Achievement Medals; three Good Conduct Medals; the National Defense Service Medal; Afghanistan Campaign Medal; Iraq Campaign Medal; Marksmanship medals for both rifle and pistol; and a multitude of personal, unit, and campaign decorations.

My deepest thoughts and prayers are with his loving wife and two children who live in Virginia Beach, Virginia; his parents, and the rest of his family during this extraordinarily difficult time.

Our nation is safer and stronger because of brave heroes like Chief Brown. Today, I ask all members of Congress to join me as we honor the life of Navy SEAL Chief Petty Officer Adam Brown and his legacy, as well as each man and woman in our armed forces who give the ultimate sacrifice in service to our great country.

#### RECOGNIZING THE 65TH ANNIVERSARY OF THE BLINDED VETERANS ASSOCIATION

SPEECH OF

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 22, 2010*

Mr. COURTNEY. Madam Speaker, I rise to recognize and honor the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families.

On March 28, 1945, 100 blinded members of the Armed Forces who served in World War II formed the Blinded Veterans Association at Avon "Old Farms" Army Convalescent Hospital in Connecticut. The founders of the Blinded Veterans Association were a cross-section of heroes and pioneers who not only shaped the rich history, philosophy, and knowledge of education and rehabilitation of the blind, but also provided insight into current and future challenges facing the blind and engaged in continual advocacy efforts to ensure that services for all blinded persons would be unique and specialized. In 1946, General Omar Bradley, of the Veterans Administration, appointed the Blinded Veterans Association as the first official representative for blinded veterans for the filing of claims and appeals to the Veterans Administration, making the Blinded Veterans Association only the eighth veterans service organization to receive such authorization.

The Blinded Veterans Association was originally incorporated in New York State as a nonprofit association, and then moved to Washington, DC, in 1947. In 1958, the 58th Congress approved the Congressional Charter for the Blinded Veterans Association. From its early beginnings, the Blinded Veterans Association encouraged the blinded veterans it served "to take their rightful place in the community with their fellow men and work with them toward the creation of a peaceful world," and it has continued to advocate for the war-blinded to regain independence, confidence, and self-esteem through rehabilitation and training; and many people of the United States recognize March 28 of each year as Blinded Veterans Day.

On March 28, 2010, the Blinded Veterans Association will mark its 65th anniversary of dedication to blinded members of the Armed Forces, veterans, and their families. I urge all members of the House of Representatives, and Americans around the country, to join me in honoring these American heroes.

**HONORING THE SERVICE OF THE  
LATE ROBERT MYERS, CHIEF ACTUARY AT THE SOCIAL SECURITY ADMINISTRATION, AND  
RECOGNIZING THE OUTSTANDING  
SERVICE SSA'S ACTUARIES PROVIDE TO CONGRESS, THEIR  
AGENCY, AND THE AMERICAN  
PUBLIC**

**HON. EARL POMEROY**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. POMEROY. Madam Speaker, I rise today to honor actuaries in general and two actuaries in particular: the longtime actuary of the Social Security Administration (SSA), the late Robert J. Myers, and the current chief actuary, Stephen C. Goss.

Bob Myers died February 13 of this year at the age of 97, and a memorial service was held for him this past weekend. Mr. Myers had a long, exemplary career with the Social Security Administration, starting in 1934 as a junior actuary with SSA's predecessor, the Committee on Economic Security. He later served for 23 years as the agency's chief actuary and was considered one of our country's foremost experts on Social Security.

Bob played a vital role in developing the special relationship between Congress and the Office of the Actuary. Historically, the actuary has been available to provide Members of Congress and the executive branch with confidential, expert, impartial, and trustworthy analysis of Social Security policy and legislative proposals. The Office of the Chief Actuary has truly an unparalleled record of service in the federal government.

Congress specifically recognized the value and importance of an independent and impartial actuary in the conference report accompanying Social Security's enabling statute, the "Social Security Administrative Reform Act of 1994." This report said that "The Office of the Actuary has a unique role within the agency in that it serves both the Administration and the Congress. . . . Thus, the independence of the Office of the Chief Actuary with respect to providing assistance to the Congress is vital in

maintaining a trusting and useful relationship." (H. Report 103-670, at page 96)

Though Bob left SSA in 1970, the tradition he established lives on in the work of the chief actuaries who came after him. SSA's current chief actuary, Steve Goss, is an outstanding example. Steve has been an actuary with SSA since 1973 and has served as its chief actuary since 2001. To me and many of my colleagues, Steve personifies the meaning of public service.

Steve's contributions have also been recognized by his colleagues and others. He received the Commissioner's Leadership Award in 1999 and was named a Presidential Distinguished Rank Executive in 2002. In 2004, he was the recipient of the very first Robert M. Ball Award for Outstanding Achievements in Social Insurance. Upon announcing their selection, the National Academy of Social Insurance described Steve this way:

He gives tirelessly and selflessly of himself to try to clarify, illuminate, and explain complex Social Security issues and how estimates are made of revenues, expenses, and actuarial projections within that program. He openly and forthrightly invites suggestions and criticism, hoping to improve the quality of his knowledge and the accuracy of estimates put forward by SSA. Steve Goss and the entire Office of the Chief Actuary provide an exemplary model of integrity and transparency, while maintaining a very high level of productivity.

I could not agree more. Steve Goss has ably continued the tradition Bob Myers started that has kept the Office of the Chief Actuary a trustworthy and consistently reliable source for confidential and honest analysis on which Congress relies to make sound policy decisions affecting Social Security programs. I think Bob Myers would be very proud.

I have worked personally with Steve for many years, and I look forward to relying on his expert knowledge and experience even more now that I am the chairman of the Subcommittee on Social Security. The Social Security Administration could not have as great a reputation among my colleagues without Steve Goss. I congratulate and thank him for his service.

**RECOGNIZING THE 4TH ANNUAL  
CESAR CHAVEZ MARCH**

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. KILDEE. Madam Speaker, I rise today and ask the House of Representatives to join me in recognizing the 4th Annual Cesar Chavez March to be held in my hometown of Flint, Michigan on Saturday, March 27th. The March is being sponsored by the Hispanic Latino Collaborative of Genesee County in honor of Cesar Chavez's birthday on March 31.

Cesar Chavez began his fight for the rights of migrant workers after serving in the U.S. Navy during World War II. He labored in the fields and knew firsthand the terrible conditions endured by migrant workers. He chose to lead the fight to bring justice and dignity to farm workers. Through his leadership, the United Farm Workers was able to win the right for farm workers to organize. Through his work, migrant farmers across our Nation have

better working conditions, better pay, better living quarters, and better hours. Cesar Chavez and the United Farm Workers were instrumental in getting dangerous pesticides banned, improving the safety of both our farm fields and the food on our tables.

Madam Speaker, please join me in congratulating the Hispanic Latino Collaborative of Genesee County for keeping the memory and legacy of Cesar Chavez alive. His enthusiasm for justice, his work for his fellow humans, his achievements in the face of adversity, has provided an example for future generations to emulate. Cesar Chavez has demonstrated the difference one person can make in the lives of others.

**VETERANS' COMPENSATION COST-  
OF-LIVING ADJUSTMENT ACT OF  
2010**

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 22, 2010*

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H. Res. 4667, "Veterans' Compensation Cost-of-Living Adjustment Act of 2010" introduced by my distinguished colleague from Virginia, Representative PERRIELLO.

H. Res. 4667 will increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain disabled veterans, and for other purposes. Increases will include wartime disability compensation, additional compensation for dependents, clothing allowances, and compensation for the surviving spouse, and for children. The Secretary of Veteran Affairs shall be responsible for publishing in the Federal Register the amounts, as increased, as specified under the Social Security Act. The Secretary of Veteran Affairs shall increase the dollar amounts in effect on November 30, 2010, for the payment of disability compensation for the rate adjustment that will take effect on December 1, 2010.

It is my distinct honor to stand here today to support a bill that will allow us to show our appreciation to our veterans and honor the service of veterans who have become disabled while serving in the armed forces. These veterans have given great contributions and made incredible personal sacrifices so that all of us in this country might live in a safe and secure nation and world. Providing a cost-of-living increase is only a small step towards repaying the insurmountable debt that all of us owe to all veterans. For, what is the price of freedom?

As President Kennedy once said, "The price of freedom is high, but Americans have always paid it." And no one has paid a higher price than the brave men and women through the years who gave the last full measure of devotion to their country. Whether it is the ultimate sacrifice of life or the loss of limb or the loss of time with family and friends, we owe our veterans an enormous outstanding debt of gratitude.

From Bunker Hill to Yorktown, from Washington, DC to the Battle of New Orleans, from Bull Run to Gettysburg and Antietam to Appomattox, brave Americans gave their lives



so that the nation might live. And from Alsace Lorain to Verdun, and Normandy to Berlin and Pearl Harbor to Okinawa, from Inchon and Corregidor to Vietnam, Lebanon, Grenada, Kuwait, Afghanistan, and Iraq, Americans have nobly sacrificed their lives so that the world may live in freedom.

The debt of gratitude we owe to the soldiers, sailors, marines, and airmen who answered their nation's call and made supreme sacrifices can never be repaid. But the nation can follow President Lincoln's admonition to "care for him who has borne the battle, and for his [family]." Indeed, it is the least we can do.

It is out of my profound respect and gratitude for all who wear and have worn the uniform of the United States that I continue to work so hard to pass legislation that will ensure that veterans receive the health care, job opportunities, housing assistance, and educational benefits they deserve.

---

HONORING THE PASSING OF A  
DISTINGUISHED COAST GUARD  
VETERAN, LT HERBERT COL-  
LINS, USCG RETIRED

---

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. OBERSTAR. Madam Speaker, I take this opportunity to honor the service of Lieutenant Herbert Collins, a retired Coast Guard officer, who passed away on March 14, 2010 at the age of 89.

Lieutenant Herbert Collins was the last surviving member of the Coast Guard's Life Boat Station Pea Island, which was the first and only station manned by an all African American crew. This station was in service from 1880 to 1947 and was originally part of the U.S. Life Saving Service until it merged with the Revenue Cutter Service in 1915, creating the U.S. Coast Guard. Members of the Pea Island Life Saving Station performed many heroic rescues and saved countless lives off the Outer Banks of North Carolina during the Station's 67 year existence.

Lieutenant Collins enlisted in the Coast Guard in 1939 and during his 30-year career he was promoted through the ranks to chief boatswain's mate, then to chief warrant officer and eventually to the rank of lieutenant.

During his career, Lieutenant Collins served on five Coast Guard Cutters and in a number of shore assignments, including two tours at the Pea Island Life Saving Station. In 1947, Lieutenant Collins served as Officer-in-Charge of the Coast Guard Station Oregon Inlet in 1947 and then later decommissioned Coast Guard Station Pea Island. Lieutenant Collins retired from the Coast Guard in 1976.

Lieutenant Collins was the last surviving member of the Pea Island Life Saving Station. Additionally, with his passing, another legacy ends as his family held the record for the longest continuous service with the Coast Guard dating back to his grandfather, Joseph H. Berry, who entered the Life Saving Service in 1880.

Lieutenant Collins, I wish you fair winds and following seas.

CONGRATULATING HELEN C.  
VANCE ON RECEIVING THE  
BROWN-HUDSON AWARD FROM  
THE NORTH CAROLINA FOLK-  
LORE SOCIETY

**HON. HEATH SHULER**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. SHULER. Madam Speaker, I rise today to congratulate Helen C. Vance on receiving the Brown-Hudson Award from the North Carolina Folklore Society for her outstanding work to preserve the North Shore Cemeteries in Swain County, North Carolina.

In the 1940s, many families in Western North Carolina were displaced when the Fontana Dam was constructed on the Little Tennessee River in Swain County, and as a result they had to leave behind their homesites and family cemeteries. Plans to build the North Shore Road that would connect displaced families to their old homesites were discontinued in the 1960s. Although the lack of a road makes it difficult to access these sites, Ms. Vance has worked hard to ensure that local communities are able to visit their cemeteries.

For over 30 years, Ms. Vance has organized the Appalachian tradition of Decoration Day, a day where relatives, friends, and neighbors of the deceased in Western North Carolina travel together on trails through the woods, or by boat over the Fontana Lake to these local these cemeteries for a day of remembrance. On Decoration Day, communities spend the day together cleaning the cemeteries and placing decorations on the sites.

The Brown-Hudson Award recognizes Ms. Vance's exceptional contributions to preserving our traditions in our mountain region, and her tireless work to maintain the North Shore cemeteries for future generations. Her community activism is a source of pride to me and to Western North Carolina.

Madam Speaker, I ask my colleagues today to rise with me in recognizing the amazing efforts of Ms. Vance, and the dedication she has shown to preserving the historic North Shore cemeteries Western North Carolina. I urge my colleagues to join me in celebrating her outstanding commitment to our community traditions.

---

A TRIBUTE TO DR. ROYCE MONEY

**HON. RANDY NEUGEBAUER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. NEUGEBAUER. Madam Speaker, I want to recognize Dr. Royce Money for his dedication to Abilene Christian University and, in particular, for his 19 years of service as the university's president. As Dr. Money transitions to the role of chancellor, I join with the ACU community in thanking him for all he has done for the university.

Dr. Money obtained both his bachelor's and master of divinity degrees from Abilene Christian University, and he holds a Ph.D in religion from Baylor University. He continued his education later at the University of Nebraska, where he received an additional master's degree in human development and the family.

Dr. Money and his wife of 45 years, Pam, have both been an integral part of ACU and the Abilene community. Pam Money is a licensed marriage and family therapist and has served as an adjunct professor in the College of Biblical Studies at ACU. They have two daughters, Alison and Jennifer, and are proud grandparents of David, Elizabeth, Andrew, Jonathan, and Caleb. Their favorite hobbies include anything that involves their children and grandchildren.

Dr. Money is a current board member and past chairman of the Independent Colleges and Universities of Texas and a past chairman of the Council for Christian Colleges and Universities. He was named Abilene's "Citizen of the Year" for 2007 by the Abilene Chamber of Commerce.

Dr. Royce Money was appointed president of Abilene Christian University June 1, 1991 after serving as an associate professor, department chairman, vice president and provost. Upon his retirement, he will take over the role of chancellor of the university where he will continue to be a strong leader and advocate for ACU. Both Royce and Pam's continued service to the university is greatly appreciated and highly recognized by the city of Abilene and the students, faculty and staff of ACU.

I want to again commend Dr. Money for his service as the president of ACU, and I look forward to his continued leadership as chancellor.

---

PERSONAL EXPLANATION

**HON. MICHELE BACHMANN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mrs. BACHMANN. Madam Speaker, yesterday I accidentally electronically voted "yea" twice for rollcall 170. Consequently, the subsequent vote (rollcall 171) indicated that I was "Not Voting". Madam Speaker, it was my intention to vote "yea" on the last recorded vote on March 22, 2010.

It is of vital importance we care for our disabled veterans who have personally sacrificed to protect our liberties. I fully support The Veterans Compensation Cost-of-Living Adjustment Act.

---

HONORING MARY ANN  
VANDEMARK

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Mary Ann Vandemark as she is honored by the Michigan Community Action Agency Association. Mary Ann recently retired from her position as Executive Director of the Human Development Commission. She will be honored for her work at a dinner on March 25th in Lansing, Michigan.

Mary Ann Vandemark served as the Executive Director of the Human Development Commission for 31 years prior to her retirement on February 1, 2010. The Commission is a Community Action Agency serving Huron, Lapeer,



Sanilac and Tuscola Counties. Their emphasis is on community economic development, housing and energy-related activities. Through their economic development program, they have developed a storm window manufacturing unit into a corporation named Cass River Enterprises, Incorporated with Mary Ann as the Chief Executive Officer.

In addition to her duties with the Human Development Commission, Mary Ann has held several leadership positions with both local and national organizations. Mary Ann served two terms as President of the National Association of Community Action Agencies and three terms as Secretary, was President of both the State and Regional Community Action Agency Associations, a member of the National Symposium on Poverty and Economic Security Steering Committee, Treasurer of the Mid America Community Action Association, Board Member and President of the Great Lakes Rural Network, President of the Michigan Economic Development Coalition, member of the National Community Action Foundation Board of Directors, Board member of the Economic Development Association of Michigan, Board member of Rural Partners of Michigan, and Chairperson of the Michigan Community Action Agency Association Legislative Committee. Locally, she is Chairperson of the Christian Services Committee of the Church of the Sacred Heart and serves as a Lay Minister. Mary Ann is the recipient of the Caro Business & Professional Women's Woman of Achievement Award, honored as Caro's Citizen of the Year, and was the recipient of the Caro Knights of Columbus Council's Family of the Year Award.

Madam Speaker, I ask the House of Representatives to join me in applauding the work of Mary Ann Vandemark. She is a dear friend and I value her advice, her wisdom and her enthusiasm. I congratulate her on a well deserved retirement and wish her the best in this new phase of her life.

#### OUR UNCONSCIONABLE NATIONAL DEBT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is \$12,661,039,727,506.65.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$2,024,946,690,541.30 so far this Congress. The debt has increased \$2,332,709,328.50 since just yesterday.

This debt and its interest payments we are passing to our children and all future Americans.

#### FLAWS OF MEDICAID EXPANSION

#### HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. CHAFFETZ. Madam Speaker, there are major flaws in the health care legislation that

passed the U.S. House of Representatives this week. Utah Governor Gary Herbert recently shared with me two major deficiencies in the Medicaid expansion as addressed in the health care bill.

First, Medicaid expansion ignores the fiscal impact on states. Utah, along with many other states, currently faces challenging financial circumstances. It would be impossible to pay for a sizeable Medicaid expansion and still maintain other critical state priorities such as education and social services without tax increases. This would dampen any economic recovery.

Second, Medicaid expansion ignores the program's current deficiencies. Medicaid is designed to be a temporary help and not a permanent solution for financing medical care because it restricts patient responsibility and limits choices and options. Utah is struggling to find enough providers who are willing to treat Medicaid patients as it is. Putting more people on this program will likely overwhelm the provider system and decrease access for those that need it most.

Medicaid expansion solves the problem of the uninsured by forcing more people into an already overburdened public program. This is an inevitable crush on states' finances and the economy.

STATE OF UTAH,

OFFICE OF THE GOVERNOR,

*Salt Lake City, UT, March 21, 2010.*

Hon. JASON CHAFFETZ,  
Longworth Building,  
Washington, DC.

DEAR CONGRESSMAN CHAFFETZ: I am writing in the hope there is still an opportunity to eliminate the proposed Medicaid expansion in the current health care reform legislation. There are two major flaws with the proposed expansion.

First, the Medicaid expansion ignores the fiscal impact on states. Even though there was a previous commitment that states will not be burdened with the cost of a growing program, it is clear the current versions of the expansion proposal do not keep this commitment. Utah, along with many other states, currently faces challenging financial circumstances. We, in Utah, have fought to minimize the impact on our citizens, but it would be impossible to pay for a sizeable Medicaid expansion and still maintain our commitment to other critical state priorities such as education and social services without tax increases. This would dampen the economic recovery we are beginning to experience.

Second, Medicaid expansion ignores the program's current deficiencies. This proposal would significantly increase the number of Utahns on Medicaid. Instead, we need to get more people off Medicaid and covered by private insurance. Medicaid is designed to be a temporary help to those in need. It is not designed to be a permanent solution for financing medical care because it restricts patient responsibility and limits choices and options. It would be better to pursue approaches that help individuals and families become the primary decision-makers when it comes to their health and health care.

We are struggling to find enough providers who are willing to treat Medicaid patients as it is. Putting more people in this program will likely overwhelm the provider system and decrease access for those that need it the most. Nothing in the current proposal addresses how this problem will be resolved.

I am firmly opposed to a plan that intends to solve the problem of the uninsured by forcing more people into an already overburdened public program. Even though the bill

intends to soften the impact with a 2019 full implementation date, this is simply delaying the inevitable crush on states' finances and the economy.

Thank you for your consideration and thank you for your service to our country.

Sincerely,

GARY R. HERBERT,  
Governor.

HONORING THE ACCOMPLISHMENTS OF SUPREME COURT JUSTICE SANDRA DAY O'CONNOR, THE FIRST WOMAN TO SERVE ON THE UNITED STATES SUPREME COURT

#### HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Ms. RICHARDSON. Madam Speaker, I rise today in support of H. Res. 1141, which honors the achievements and distinguished career of Justice Sandra Day O'Connor, and recognizes her impact as an American symbol of hard work and rugged individualism. H. Res. 1141 is an important measure that acknowledges the truly impressive career of Sandra Day O'Connor and pays tribute to her distinguished record as one of the nation's great jurists that has inspired generations of women across the country and around the world.

I thank Chairman JOHN CONYERS for his leadership in bringing this bill to the floor. I would also like to thank the sponsor of this legislation, Congresswoman GABRIELLE GIFFORDS, for taking the time to acknowledge Justice O'Connor's positive impact on the legal profession, the world of public service, and the lives of women and girls with dreams as ambitious as her own.

Madam Speaker, Justice Sandra Day O'Connor's rise to the top of the legal profession is a testament to the power of tirelessly dedicating yourself to the pursuit of your dreams and staying true to your core values. After graduating in the top three of her class at Stanford Law School, Justice O'Connor practiced law in Frankfurt, Germany and Phoenix, Arizona. Soon, however, she took her talents to the arena of public service, serving as the Arizona Assistant Attorney General and Majority Leader in the Arizona State Senate. In 1979, she was appointed by Arizona Governor Bruce Babbitt to serve on the Arizona Court of Appeals. Her fair-minded decisions, detailed knowledge of the law, and growing stature in the legal profession led President Ronald Reagan to nominate Sandra Day O'Connor in 1981 to serve as the first woman on the United States Supreme Court.

Justice O'Connor served for 24 terms on the United States Supreme Court. Her service was marked by her centrist judicial philosophy, consensus-building role on the Court, and determination to uphold the law and the Constitution. A shining moment in Justice O'Connor's legacy was her support of the proposed Equal Rights Amendment, which further strengthened her role as a role model for women of all generations. On August 12, 2009, President Barack Obama awarded Sandra Day O'Connor the Presidential Medal of Freedom, a deserved honor for an important national figure who inspires countless Americans.

It is entirely fitting that we take this time to honor Justice Sandra Day O'Connor. The story of Justice O'Connor's ascent to the United States Supreme Court is an inspirational one that reaffirms the power of hard work, determination, and fidelity to core values. Her service on the Court helped make our country better and fairer. Most importantly, through her successful career, she paved the way for female leaders throughout the arena of public service. And it is significant to note that Sandra Day O'Connor achieved all of this while helping raise three children. Her refusal to make the unfair choice between family and career is another reason why she has become a role model for women throughout the country.

Madam Speaker, I urge my colleagues to join me in supporting H. Res. 1141.

HONORING THE 25TH  
ANNIVERSARY OF WAQP-TV 49

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. KILDEE. Madam Speaker, please join me in recognizing the achievements of WAQP-TV 49 as it celebrates 25 years broadcasting the Gospel of Jesus Christ in the Flint, Saginaw, Bay City, Midland and Lansing areas. WAQP-TV will celebrate this anniversary on March 25th at the station in Saginaw Michigan.

WAQP-TV 49 is part of TCT, Total Christian Television founded by Drs. Garth and Tina Coonce. The station broadcasts Christian programming 24 hours a day to give inspiration to those in need, and maintains an 800 Prayer Line. The volunteers manning this line pray with the callers and provide hope, encouragement and strength to the most vulnerable. Both callers and volunteers experience the joy that comes from partnering with the Lord. As part of the TCT family, the station and its viewers can connect with Christians around the globe, forming a prayer chain that reaches throughout the world.

Madam Speaker, I ask the House of Representatives to join me in commending WAQP-TV 49 for its commitment to preaching the Gospel of Jesus Christ. Their dedication, enthusiasm and prayers are a blessing to the community and the countless people that encounter Our Lord, Jesus Christ, through their ministry.

RECONCILIATION ACT OF 2010

SPEECH OF

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Sunday, March 21, 2010*

Mr. PASCRELL. Mr. Speaker, in my capacity as co-chair of the Congressional Brain Injury Task Force, I would like to share my understanding of the intent of the provisions of H.R. 3590, the Patient Protection and Affordable Care Act regarding coverage of the treatment continuum for persons with brain injury. I believe that health care reform should address the unique health care needs of individ-

uals with brain injury by recognizing that brain injury is the start of a lifelong disease process requiring access to a full continuum of medically necessary treatment, including rehabilitation and chronic disease management, furnished by accredited programs in the most appropriate treatment setting as determined in accordance with the choices and aspirations of the patient and family, in concert with an interdisciplinary team of qualified and specialized clinicians.

News reports of returning veterans and recent high profile brain injury stories indicate what researchers have been reporting for years—brain injury is a leading public health problem in U.S. military and civilian populations. Brain injury is not an event or an outcome but is the beginning of a lifelong disease process that impacts brain and body functions resulting in difficulties in physical, communication, cognitive, emotional, and psychological performance that undermines health, function, community integration and productive living. Brain injury is also disease causative and disease accelerative in that it predisposes individuals to re-injury and the onset of other conditions (e.g., brain injury impacts neurologic disorders such as epilepsy, vision and hearing impairments, psychiatric disorders, and orthopedic, gastrointestinal, urologic, sexual, neuroendocrine, cardiovascular and musculoskeletal dysfunction).

The Brain Injury Association of America, BIAA, has developed a series of guiding principles for assessing any health reform bill from a brain injury perspective. I am pleased to conclude that the Patient Protection and Affordable Care Act reflects and is consistent with these principles.

One principle identified by BIAA is that an individual with brain injury should have access to the full treatment continuum to manage the disease that includes early, acute treatment to stabilize the condition followed by acute and specialized post-acute brain injury treatment and rehabilitation, including inpatient, outpatient, day treatment and home health programs, to minimize and/or prevent medical complication, recover function and cope with remaining physical or mental disabilities, and achieve durable outcomes that maintain an optimal level of health, function and independence following brain injury. The Patient Protection and Affordable Care Act authorizes the Secretary of Health and Human Services to define the details and limits of the essential health benefits package but establishes certain general categories of benefits that must be covered. The bill specifically lists, among other things, hospitalization, outpatient hospital and outpatient clinic services, professional services of physicians and other health professionals, and prescription drugs. In addition, I am pleased that the list includes the following benefits that are of particular importance to persons with brain injury:

Rehabilitative and habilitative services and devices,

Mental health and substance use disorder services, including behavioral treatment, and Chronic disease management.

I believe that for individuals with disabilities such as brain injury, rehabilitation and habilitation is equivalent to the provision of antibiotics to a person with an infection—both are essential medical interventions. The term “rehabilitative and habilitative services” includes items and services used to restore functional

capacity, minimize limitations on physical and cognitive functions, and maintain or prevent deterioration of functioning as a result of an illness, injury, disorder or other health condition. Such services also include training of individuals with mental and physical disabilities to enhance functional development.

The term “rehabilitative and habilitative devices” includes durable medical equipment, prosthetics, orthotics, and related supplies. It is my understanding that the Patient Protection and Affordable Care Act requires the Secretary of HHS to develop, through regulation, standard definitions of many terms, including durable medical equipment for purposes of comparing benefit categories from one private health plan to another. It is my expectation “prosthetics, orthotics, and related supplies” will be defined separately from “durable medical equipment” and the Secretary is not to define durable medical equipment for purposes of “in-home” use only.

I defining the list of categories of essential health benefits, I am particularly pleased that the bill states that the Secretary shall:

Ensure that such benefits reflect an appropriate balance among the categories so that benefits are not unduly weighted toward any category;

Not make coverage decisions, determine reimbursement rates, establish incentive programs, or design benefits in ways that discriminate against individuals because of their age, disability, or expected length of life;

Take into account the health care needs of diverse segments of the population, including women, children, persons with disabilities, and other groups; and

Ensure that essential benefits not be subject to denial on the basis of the individual's present or predicted disability, degree of medical dependency, or quality of life.

Taken together, these are strong protections that will help ensure that the essential health benefits package—that must be offered by all health plans that participate in the new Health Insurance Exchanges—will take into account the needs of people with brain injury and other disabilities and chronic conditions and not impose value judgments about disability and quality of life. This legislative language makes clear that Congress understands the subtle discrimination that can occur against people with brain injury and other disabilities in the area of benefit design.

A provision in the bill allows insurance companies to sell insurance products across State lines. It is my understanding that the new federal standards regarding essential benefits are meant to act as a floor, not a ceiling, for these essential benefits, giving room for plans within states to offer more generous coverage to their constituents. Thus, it is also my understanding that all state benefit and consumer protection laws will be accorded full force and effect when multi-state compacts are organized under one state's laws but sell insurance across state lines.

A second principle identified by BIAA is that an individual with a brain injury should have an individualized medical treatment plan that documents specific diagnosis-related goals when the person has a reasonable expectation of achieving measurable functional improvements in a predictable period of time through the provision of treatment of sufficient scope, duration and intensity. As described above, I am pleased to report that under the

bill, payment for items and services included in the essential benefits package should be made in accordance with generally accepted standards of medical and other appropriate clinical or professional practice. In addition, under the bill, a qualified health benefits plan may not impose any restriction (other than cost-sharing) unrelated to clinical appropriateness on the coverage of the health items and services included in the essential benefits package. Consistent with medical, clinical, and professional practice, appropriateness should be determined based on the unique needs of the individual with brain injury and treatment should be of sufficient scope, duration, and intensity.

A third principle identified by BIAA is that individuals with brain injury should receive treatment in the most appropriate treatment setting by accredited programs including acute care hospitals, inpatient rehabilitation facilities, residential rehabilitation facilities, day treatment programs, outpatient clinics and home health agencies as determined in accordance with the choice and aspirations of the patient and family in concert with an interdisciplinary team of qualified and specialized clinicians. I am pleased that the bill includes important patient protections that are designed to permit providers to fully discuss treatment options with patients and their families and permit the patient to render an informed choice as to their course of rehabilitation or other treatment. These patient protections are also designed to ensure that the patient receives appropriate medical care and that the health care treatment is available for the full duration of the patient's medical needs.

More specifically, the bill restricts the Secretary in a number of important ways from creating rules that potentially restrict access to certain benefits or settings of care. The bill states that the Secretary shall not promulgate any regulation that:

Creates any unreasonable barriers to the ability of individuals to obtain appropriate medical care;

Impedes timely access to health care services;

Interferes with communications regarding the full range of treatment options between the patient and provider;

Restricts the ability of health care providers to provide full disclosure of all relevant information to patients making health care decisions;

Violates the principles of informed consent and the ethical standards of health care professionals; or

Limits the availability of health care treatment for the full duration of the patient's medical needs.

In addition, the bill specifies that a group health plan and a health insurance issuer shall not discriminate with respect to participation in the group or individual health insurance plan or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable state law. The bill also specifies that health plans to be considered "qualified" by the Secretary must ensure "a sufficient choice of providers (in a manner consistent with applicable network adequacy provisions under section 2702(c) of the Public Health Services Act) and provide information to enrollees and prospective enrollees on the availability of in-network and out-of-network providers" in order to en-

sure enrollee access to covered benefits, treatments and services under a qualified health benefits plan. Thus, rehabilitative and habilitative services and chronic disease management services must be available from a full continuum of accredited programs and treatment settings at a level of intensity that is consistent with the needs of the patient.

A fourth principle identified by BIAA is that the bill should prevent private insurance systems from delaying or denying treatment as a means of transferring the burden of brain injury care to taxpayers at federal, state and local levels; ensure that both public and private health insurance systems meet the health care needs of people with brain injury; and avoid using Medicaid and Medicare as the first option for coverage of people with brain injury. I am pleased to report that the bill includes numerous requirements reforming the health insurance marketplace that should prevent private insurance systems from delaying or denying treatment for individuals with brain injury. These reforms include: prohibiting pre-existing condition exclusions; requiring guaranteed issue and renewal; requiring nondiscrimination in health benefits or benefit structure in terms of factors such as health status, medical condition, medical history, disability or any other health status-related factor; limits cost-sharing, and prohibits the imposition of lifetime limits or unreasonable annual limits on the dollar value of benefits for any individual. I believe that these provisions should help prevent private insurance from delaying or denying treatment to persons with brain injury.

The Patient Protection and Affordable Care Act includes provisions rewarding quality through market-based incentives, including consideration of payment structures that provide increased reimbursement or other incentives for, among other things, improving health outcomes through the implementation of activities that include effective case management, care coordination, and chronic disease management. The bill also includes numerous provisions designed to encourage the development of new patient care models that address the needs of persons requiring comprehensive rehabilitation and chronic care management, including models that facilitate the maintenance of close relationships between care coordinators, primary care physicians, specialist physicians, community-based organizations, and other providers of services and suppliers.

Separate provisions are included in the Patient Protection and Affordable Care Act regarding post-acute care (PAC) bundling under Medicare. The bill provides for the establishment of a national pilot program for integrated care around a hospitalization in order to improve coordination, quality, and efficiency of health care services. Under the bill, the Secretary will select 1 or more of 8 conditions, taking into consideration, among other things, whether a condition is high volume and most amenable to bundling. Applications to participate in the pilots may be made by "participating providers" consisting of providers of services and suppliers, including but not limited to hospitals.

BIAA, in a submission to the chair of the Senate Finance Committee commented that post-acute payment systems must facilitate, not impede, improvements in functional status of individuals with brain injury and their ability to return to their homes and communities. BIAA supports a deliberative planning process

and rigorous pilot testing. The deliberative process should determine, among other things, whether PAC bundling should exempt diagnoses such as brain injury, which are of low predictability and highly complicated; and test innovative payment methods that make payments directly to nonhospital-based treatment centers, including residential rehabilitation facilities specializing in the treatment of brain injury that have earned accreditation by the Joint Commission on Accreditation of Healthcare Facilities and/or the Commission on Accreditation of Rehabilitation Facilities.

I agree with the comments presented by BIAA. I am pleased that the Patient Protection and Affordable Care Act is consistent with BIAA's comments and addresses their concerns. I have some reservations regarding the bundling of post-acute care that require the "bundle" be earmarked to an acute care hospital for patients with complex and highly unpredictable diagnosis and health outcomes, as is the case for individuals with brain injury and other catastrophic conditions. I agree with BIAA that such payment systems may impede, rather than facilitate, improvements in functional status and may result in premature return to homes and undue levels of preventable disability without adequate facilitation of progression through necessary step down levels of treatment.

In closing, I believe the Patient Protection and Affordable Care Act addresses the unique health care needs of individuals with brain injury by recognizing that brain injury is the start of a lifelong disease process requiring access to a full continuum of medically necessary treatment, including rehabilitation services and devices and chronic disease management, furnished by accredited programs in the most appropriate treatment setting as determined in accordance with the choices and aspirations of the patient and family in concert with an interdisciplinary team of qualified and specialized clinicians.

#### LA MIRADA 50TH ANNIVERSARY

#### HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker. I rise to honor the City of La Mirada's 50th Anniversary.

Fifty years ago, on March 23, 1960, the village residents of Mirada Hills witnessed their homeplace incorporated as a city. At the time, it was a brave step in challenging circumstances, signaling the area's transition from a rural and agriculture community to a beautiful suburb of Los Angeles. This spirit of transition continued when on November 8, 1960, the people of Mirada Hills approved a change of name to the current La Mirada.

It is this striving to meet the challenges of the future for which La Mirada stands and which I would like to share with you today, celebrating the City's 50th anniversary.

La Mirada's development has been, for its first 70 years, closely linked to the family of Andrew McNally, the founder and president of the Rand McNally Publishing Company. In 1888, McNally purchased over 2,200 acres of rangeland and named it La Mirada, which in Spanish means "The View." He built a home

and surrounded it with olive, orange, grapefruit and lemon groves. In order to be able to ship his finest olive oil and fruits throughout the United States, he made plans for the construction of a plant and a railroad station, thus providing the basic infrastructure for the further development of La Mirada.

In 1896, McNally turned the property over to his daughter's family, the Neffs. Their homestead, known as the Neff House, is today listed on the National Register of Historic Sites.

In the early 1950s, the Neff family once more cleared the way for the transition of La Mirada to become a modern city. By selling the land to a number of developers in one of the largest real estate transactions in California, it gave way to an astounding growth in population. In 1946, La Mirada counted 213 inhabitants, by its incorporation in 1960 the city comprised over 8,000 homes.

This overwhelming growth over a short period of time posed great challenges to La Mirada's leaders. But they met those challenges successfully. In the early 1950s, La Mirada was admired as a well structured city. Its spirit was reflected by the State Fair which in 1953 praised La Mirada for planning for the future while at the same time maintaining practicality for today.

This notion holds true today, and I'm confident that it will guide the City's development through the next 50 years.

I want to share La Mirada's spirit and success with the rest of our Nation as an inspiration for how we can master current and future challenges: by taking them on in a positive, pro-active way.

I ask my colleagues to join me in ushering in La Mirada's 50th Anniversary.

# PERSONAL EXPLANATION

## HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor on Tuesday, March 2, 2010, and Wednesday, March 3, 2010.

For Tuesday, March 2, 2010, had I been present I would have voted "aye" on Rollcall vote No. 75 (on motion to suspend the rules and agree to H. Res. 1072), "no" on Rollcall vote No. 76 (on motion to suspend the rules and agree to H.R. 3820), "aye" on Rollcall vote No. 77 (on motion to suspend the rules and agree to H. Res. 1097).

For Wednesday, March 3, 2010, had I been present I would have voted "no" on Rollcall vote No. 78 (on agreeing to H. Res. 1126, which provides for consideration of H.R. 4247), "aye" on Rollcall vote No. 79 (on motion to suspend the rules and agree to H. Res. 747), "aye" on Rollcall vote No. 80 (on motion to suspend the rules and agree to H. Res. 1096), "aye" on Rollcall vote No. 81 (on agreeing to the Flake amendment to H.R. 4247), "no" on Rollcall vote No. 82 (on passage of H.R. 4247), "aye" on Rollcall vote No. 83 (on motion to suspend the rules and agree to H. Res. 1127).

## THE LEGENDARY PRICE PRUETT OF BAYTOWN, TX

## HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 23, 2010*

Mr. POE of Texas. Madam Speaker, we often speak of great American heroes like Benjamin Franklin, George Washington, and

Thomas Jefferson. In Texas, we speak of state heroes like Sam Houston, Stephen F. Austin, and William Barrett Travis. Similar to these great men, in the Second District of Texas, we honor local community heroes like Price Pruett.

Price Pruett was born in the 1800s on a farm in Dayton located in southeast Texas. He attended college at Southwestern University in Georgetown and graduated with a major in Business Administration. After college he spent time rounding up cattle in between Beaumont and Houston. Following in the footsteps of his grandfather who was a rancher in Liberty County, Pruett later established his own ranch in the area now known as Baytown.

In 1902 he married Georgia Estelle Lawrence and the two built a home located at Baytown's present-day Bicentennial Park. In 1917 Pruett teamed up with good friend Ross S. Sterling to form Goose Creek Realty Co. Sterling bought land from Pruett that was acquired when he established his ranch. The land was used for a new town and railroad depot. The town eventually became Goose Creek which was the first incorporated town in east Harris County.

Pruett and Sterling worked hard to sell a great amount of land. The offices of Goose Creek Realty Co. became the depot for the Dayton-Goose Creek Railroad. One of their most notable contributions to the area was the preservation of the beloved oak tree on Texas Avenue. Even when developers recommended cutting the tree down to extend roads in the town Pruett refused.

It has become a long-standing tradition in Baytown to keep the tree alive and well. It is a way for the citizens to honor the men who worked hard to preserve its beauty and originality. Pruett would be proud to know the people of Baytown have continued to carry on his legacy. Today we honor Price Pruett for the establishment of the town and for helping to initiate a tradition of pride, one well-known to the constituents of southeast Texas.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1819–S1921*

**Measures Introduced:** Seven bills and four resolutions were introduced, as follows: S. 3152–3158, S. Res. 465–467, and S. Con. Res. 55. **Pages S1873–74**

#### Measures Passed:

**Authorizing Legal Representation:** Senate agreed to S. Res. 467, to authorize representation by the Senate Legal Counsel in the case of *Sollars v. Reid, et al.* **Page S1921**

#### Measures Considered:

**Health Care and Education Affordability Reconciliation Act—Agreement:** Senate began consideration of H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13), taking action on the following amendments proposed thereto: **Pages S1821–67**

#### Pending:

Gregg/Coburn Modified Amendment No. 3567, to prevent Medicare from being used for new entitlements and to use Medicare savings to save Medicare. **Pages S1826–32, S1862–67**

McCain Amendment No. 3570, to eliminate the sweetheart deals for Tennessee, Hawaii, Louisiana, Montana, Connecticut, and frontier States. **Pages S1832–40**

Crapo Motion to commit the bill to the Committee on Finance, with instructions. **Pages S1840–47**

Enzi Motion to commit the bill to the Committee on Finance, with instructions. **Pages S1847–54**

Barrasso Amendment No. 3582, to ensure that Americans can keep the coverage they have by keeping premiums affordable. **Pages S1854–59**

Grassley/Roberts Amendment No. 3564, to make sure the President, Cabinet Members, all White House Senior staff and Congressional Committee and Leadership Staff are purchasing health insurance

through the health insurance exchanges established by the Patient Protection and Affordable Care Act. **Pages S1859–62**

During consideration of this measure today, Senate also took the following action: By 56 yeas to 40 nays (Vote No. 63), Senate agreed to the motion to proceed to consideration of the bill. **Page S1821**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9 a.m., on Wednesday, March 24, 2010. **Page S1921**

**Messages from the House:** **Page S1870**

**Measures Referred:** **Page S1870**

**Measures Placed on the Calendar:** **Pages S1821, S1870**

**Measures Read the First Time:** **Pages S1819, S1870, S1921**

**Executive Communications:** **Pages S1870–73**

**Petitions and Memorials:** **Page S1873**

**Additional Cosponsors:** **Pages S1874–75**

**Statements on Introduced Bills/Resolutions:** **Pages S1875–78**

**Additional Statements:** **Page S1870**

**Amendments Submitted:** **Pages S1878–87**

**Privileges of the Floor:** **Page S1887**

**Text of H.R. 1586 as Previously Passed:** **Pages S1887–S1921**

**Record Votes:** Two record votes were taken today. (Total—63) **Page S1820, S1821–22**

By 57 yeas to 39 nays (Vote No. 62), Senate agreed to the motion to adjourn until 3:05 p.m., Tuesday, March 23, 2010. **Page S1820**

**Adjournment:** Senate convened at 2:16 p.m., and adjourned at 3:12 p.m., and reconvened at 3:13 p.m., on the same day, and adjourned at 10:33 p.m., until 9 a.m. on Wednesday, March 24, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1921.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: DEPARTMENT OF LABOR

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Labor, after receiving testimony from Hilda L. Solis, Secretary of Labor.

### APPROPRIATIONS: DEPARTMENT OF THE NAVY

*Committee on Appropriations:* Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Defense and the Department of the Navy, after receiving testimony from Robert F. Hale, Comptroller, Under Secretary, Dorothy Robyn, Deputy Under Secretary for Installations and Environment, Derek J. Mitchell, Principal Deputy Assistant Secretary for Asian & Pacific Security Affairs, Roger M. Natsuhara, Acting Assistant Secretary of the Navy for Installations and Environment, Major General Eugene G. Payne, Jr., USMC, Assistant Deputy Commandant for Installations and Logistics for Facilities, and Rear Admiral Christopher J. Mossey, Deputy Commander, Navy Installations Command, all of the Department of Defense.

### NOMINATIONS

*Committee on Armed Services:* Committee concluded a hearing to examine the nominations of Elizabeth A. McGrath, of Virginia, to be Deputy Chief Management Officer, who was introduced by Senator Akaka,

Michael J. McCord, of Virginia, to be Principal Deputy Under Secretary, Comptroller, Sharon E. Burke, of Maryland, to be Director of Operational Energy Plans and Programs, who was introduced by former Senator John Warner, Solomon B. Watson IV, of New York, to be General Counsel of the Department of the Army, and Katherine Hammack, of Arizona, to be Assistant Secretary of the Army, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

### NOMINATION

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nomination of Major General Robert A. Harding, United States Army (Retired), of Virginia, to be Administrator of the Transportation Security Administration and to be Assistant Secretary of Homeland Security, after the nominee testified and answered questions in his own behalf.

### GOVERNMENT TRANSPARENCY

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine making the government more transparent and accountable, after receiving testimony from Vivek Kundra, Federal Chief Information Officer, Administrator for Electronic Government and Information Technology, Office of Management and Budget; Aneesh Chopra, Chief Technology Officer and Associate Director for Technology, Office of Science and Technology Policy, Executive Office of the President; David S. Ferriero, Archivist of the United States, National Archives and Records Administration; and Ellen S. Miller, Sunlight Foundation, Washington, D.C.

---

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 6 public bills, H.R. 4913–4918; and 6 resolutions, and H. Res. 1206–1211 were introduced. **Pages H226–61**

**Additional Cosponsors:** **Pages H2261–62**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Betsy Markey to act as Speaker pro tempore for today. **Page H2217**

**Recess:** The House recessed at 10:36 a.m. and reconvened at 12 noon. **Page H2218**

**Recess:** The House recessed at 12:10 p.m. and reconvened at 1:01 p.m. **Page H2219**

*Providing for Consideration of H.R. 4849, Small Business and Infrastructure Jobs Tax Act of 2010:* H. Res. 1205, the rule providing for consideration of the bill, H.R. 4849, to amend the Internal Revenue Code of 1986 to provide tax incentives for



small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, was agreed to by a yeas-and-nays vote of 233 yeas to 18 nays, Roll No. 173 after ordering the previous question by a yeas-and-nays vote of 240 yeas to 179 nays, Roll No. 172.

Pages H2219–28

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and agree to the following measures which were debated on Monday, March 22nd:

***Recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans:*** H.J. Res. 80, to recognize and honor the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families, by a  $\frac{2}{3}$  recorded vote of 416 ayes with none voting “no”, Roll No. 174;

Pages H2228–29

***Helping Heroes Keep Their Homes Act of 2009:*** H.R. 3976, amended, to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure, by a  $\frac{2}{3}$  recorded vote of 416 ayes to 4 “noes”, Roll No. 176 and;

Pages H2240–41

***Providing for the establishment of a pilot program to encourage the employment of veterans in energy-related positions:*** H.R. 4592, amended, to provide for the establishment of a pilot program to encourage the employment of veterans in energy-related positions, by a  $\frac{2}{3}$  recorded vote of 397 ayes to 19 “noes”, Roll No. 177.

Page H2241

**Suspensions:** The House agreed to suspend the rules and pass the following measure:

***Expressing support for designation of April as National Distracted Driving Awareness Month:*** H. Res. 1186, to express support for designation of April as National Distracted Driving Awareness Month by a  $\frac{2}{3}$  yeas-and-nays vote of 410 yeas with none voting “no” Roll No. 175;

Pages H2229–31, H2239–40

**Suspensions: Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

***Supporting the goals and ideals of National Public Works Week:*** H. Res. 1125, amended, to support the goals and ideals of National Public Works Week;

Pages H2231–33

***Recognizing the Florida Keys Scenic Highway:*** H. Res. 917, amended, to recognize the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of Transportation;

Pages H2233–35

***“Chaney, Goodman, Schwerner Federal Building” Designation:*** H.R. 3562, amended, to designate the Federal building under construction at 1220 Echelon Parkway in Jackson, Mississippi, as the “Chaney, Goodman, Schwerner Federal Building”; and

Pages H2235–37

***Secure Federal File Sharing Act:*** H.R. 4098, amended, to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by Government employees.

Pages H2237–39

**Senate Message:** Message received from the Senate today appears on page H2245.

**Quorum Calls—Votes:** There were 5 yeas-and-nays votes, and there was 1 recorded vote developed during the proceedings today and appear on pages H2227, H2227–28, H2228–29, H2239–40, H2240–41, H2241. There were no quorum calls.

**Adjournment:** The House met at 10:30 a.m. and adjourned at 7:43 p.m.

**Program for Wednesday:** Complete consideration of H.R. 4849—Small Business and Infrastructure Jobs Tax Act of 2010. Begin consideration of H.R. 4899—Disaster Relief and Summer Jobs Act of 2010 (Subject to a Rule).

## Committee Meetings

### RURAL WATER INFRASTRUCTURE DEVELOPMENT

***Committee on Agriculture:*** Subcommittee on Rural Development, Biotechnology, Specialty Crops, and Foreign agriculture held a hearing to review efforts to improve rural water infrastructure. Testimony was heard from Jonathan Adelstein, Administrator, Rural Utilities Service, USDA; and public witnesses.

### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

***Committee on Appropriations:*** Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on NASA FY 2011 Budget Overview. Testimony was heard from MG (ret.) Charles F. Bolden, Jr., Administrator, NASA, Department of Commerce.

### DEFENSE APPROPRIATIONS

***Committee on Appropriations:*** Subcommittee on Defense held a hearing on Army Posture. Testimony was heard from the following officials of the Department of the Army: John M. McHugh, Secretary; and GEN George W. Casey, Jr., USA, Chief of Staff.

**ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Nuclear Energy FY 2011 Budget. Testimony was heard from Warren F. Miller, Jr., Assistant Secretary, Nuclear Energy, Department of Energy.

**HOMELAND SECURITY APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Homeland Security held a hearing on DHS Air and Marine Operations and Investments: Customs and Border Protection and Coast Guard. Testimony was heard from the following officials of the Department of Homeland Security: Michael Kostelnik, Assistant Commissioner, Office of Air and Marine, U.S. Customs and Border Protection; and RADM Vince Atkins, USCG, Assistant Commandant for Capability, U.S. Coast Guard.

**INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Interior, Environment and Related Agencies, held a hearing on Voices from Our Native American Communities. Testimony was heard from public witnesses.

**MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, held a hearing on VA Mental Health. Testimony was heard from Ira Katz, M.D., Deputy Chief Officer, Mental Health Services, Office of Patient Care Services, Veterans Health Administration, Department of Veterans Affairs; Thomas R. Insel, M.D., Director, National Institute of Mental Health, NIH, Department of Health and Human Services; and public witnesses.

**STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on State, Foreign Operations, and Related Programs held a hearing on Global Health and HIV/AIDS programs at the Department of State and the U.S. Agency for International Development. Testimony was heard from the following officials of the Department of State: Ambassador Eric Goosby, U.S. Global AIDS Coordinator; and Gloria D. Steele, Senior Deputy Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development.

**TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Intercity and Commuter Passenger Rail: Moving People Safely and Efficiently (Including FY 2011 Budget Requests for FTA, FRA and Amtrak). Testimony was heard from the following officials of the Department of Transportation: Peter Rogoff, Administrator, Federal Transit Administration; and Joseph Szabo, Administrator, Federal Railroad Administration; and Joseph Boardman, President and CEO, National Railroad Passenger Corporation (AMTRAK).

**MILITARY ASSOCIATIONS' LEGISLATIVE PRIORITIES**

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing on military associations' legislative priorities. Testimony was heard from Sarah Jennings, Unit Chief of Budget Analyst Division, CBO; and public witnesses.

**IRAQ-AFGHANISTAN GRANTS AND CONTRACTS**

*Committee on Armed Services:* Subcommittee on Oversight and Investigations held a hearing on the Inter-agency Coordination of Grants and Contracts in Iraq and Afghanistan: Progress, Obstacles, and Plans. Testimony was heard from Gary Motsek, Assistant Deputy Under Secretary (Program Support), Department of Defense; the following officials of the Department of State: William Moser, Deputy Assistant Secretary (Logistics Management); Ambassador James Michel, Counselor to the Agency, U.S. Agency for International Development; and John Hutton, Director, Acquisition and Sourcing Management, GAO.

**DEFENSE SCIENCE-TECHNOLOGY PROGRAM BUDGET**

*Committee on Armed Services:* Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on FY 2011 National Defense Authorization Budget Request for Department of Defense's Science and Technology Programs. Testimony was heard from the following officials of the Department of Defense: Zachary J. Lemnios, Director, Defense Research and Engineering, Office of the Secretary; Thomas H. Killion, Deputy Assistant Secretary, Research and Technology, Department of the Army; RADM Nevin P. Carr, Jr., USN, Chief of Naval Research, Director, Test and Evaluation and Technology Requirements, U.S. Navy; Stephen Walker, Deputy Assistant Secretary, Air Force, Science, Technology and Energy Requirements, Office of the Assistant Secretary, Acquisition, U.S. Air

Force; and Regina E. Dugan, Director, Defense Advanced Research Projects Agency, Office of the Secretary.

#### **OVERSIGHT—FEDERAL ENERGY REGULATORY COMMISSION**

*Committee on Energy and Commerce:* Subcommittee on Energy and Environment held a hearing on Oversight of the Federal Energy Regulatory Commission. Testimony was heard from the following officials of the Federal Energy Regulatory Commission: John Wellinghoff, Chairman; Mark Spitzer, Philip Moeller, and John Norris, all Commissioners.

#### **NATIONAL CENTER INSTITUTE RESEARCH**

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “NCI Cancer Research: Today’s Progress; Tomorrow’s Challenges.” Testimony was heard from Anna D. Barker, Deputy Director, National Cancer Institute, NIH, Department of Health and Human Services; and public witnesses.

#### **HOUSING FINANCE FUTURE**

*Committee on Financial Services:* Held a hearing entitled “Housing Finance—What Should the New System Be Able to Do?: Part I—Government and Stakeholder Perspectives.” Testimony was heard from Timothy F. Geithner, Secretary of the Treasury; and public witnesses.

#### **U.S. CITIZENSHIP AND IMMIGRATION SERVICES**

*Committee on the Judiciary:* Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law held a hearing on the United States Citizenship and Immigration Services. Testimony was heard from the following officials of the Department of Homeland Security: Alejandro Mayorkas, Director, U.S. Citizenship and Immigration Services; and Frank Deffer, Assistant Inspector General for IT Audits, Office of the Inspector General; and Susan J. Irving, Director, Federal Budget Analysis, GAO.

#### **INVASIVE SPECIES LARGE CONSTRICTOR SNAKES**

*Committee on Natural Resources:* Subcommittee on National Parks, Forests and Public Lands and the Subcommittee on Insular Affairs, Oceans and Wildlife held a joint oversight hearing entitled “How to Manage Large Constrictor Snakes and Other Invasive Species.” Testimony was heard from Bert Frost, Associate Director, Natural Resources, Stewardship and Science, National Park Service, Department of the Interior; Marcy Heacker, Division of Birds, Smithsonian Institution; and public witnesses.

#### **UNMANNED DEFENSE SYSTEMS FUTURE**

*Committee on Oversight and Government Reform:* Subcommittee on National Security and Foreign Affairs held a hearing entitled “Rise of Drones: Unmanned Systems and the Future of War.” Testimony was heard from Michael J. Sullivan, Director, Acquisition and Sourcing Management, GAO; Dyke Weatherington, Deputy, Unmanned Aerial Vehicle Planning Taskforce, Office of the Under Secretary, Acquisition, Technology and Logistics, Department of Defense; Kevin Wolf, Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce; and public witnesses.

#### **NIST FEDERAL TECHNICAL STANDARDS COORDINATION**

*Committee on Science:* Subcommittee on Technology and Innovation held a hearing on NIST Structure and Authorities, Its Role in Technical Standard, and Federal Coordination on Technical Standards. Testimony was heard from Patrick Gallagher, Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

#### **FEMA’S CAPITAL REGION SNOWSTORM RESPONSE**

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on Snow Disasters for Local, State, and Federal Governments in the National Capital Region: Response and Recovery Partnerships with FEMA. Testimony was heard from following officials of FEMA, Department of Homeland Security: Patricia Arcuri, Acting Regional Administrator, FEMA Region III; and Steward Beckham, Director, Office of National Capital Region Coordination; John Berry, Director, OPM; and public witnesses.

#### **FEDERAL TAX REVENUES OUTLOOK**

*Committee on Ways and Means:* Subcommittee on Select Revenue Measures held a hearing on the role of taxes as part of the federal budget. Testimony was heard from Thomas A. Barthold, Chief of Staff, Joint Committee on Taxation; Douglas Holtz-Eakin, former Director, CBO; and public witnesses.

#### **CYBERSECURITY BUDGET**

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on Cybersecurity Budget for Fiscal Year 2011. Testimony was heard from Jim Richberg, Assistant Deputy DNI for Cyber Issues, Office of the Director of National Intelligence; RADM Michael Brown, USN, Deputy Assistant Secretary, Cybersecurity and Communications, Department of Homeland Security; and Gordon Snow, Acting Assistant Director, Cyber Division, FBI, Department of Justice.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 24, 2010

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Agriculture, Nutrition, and Forestry:* business meeting to consider an original bill entitled, "Healthy, Hunger-Free Kids Act of 2010", 9:30 a.m., SR-328A.

*Committee on Appropriations:* Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the the Guard and Reserve, 10 a.m., SD-192.

Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Office of Personnel Management, 2:30 p.m., SD-192.

*Committee on Armed Services:* Subcommittee on Personnel, to hold hearings to examine Military Health System programs, policies, and initiatives in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, 10 a.m., SR-232A.

Full Committee, to hold hearings to examine U.S. Pacific Command, U.S. Strategic Command, and U.S. Forces Korea in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 2:30 p.m., SH-216.

*Committee on Commerce, Science, and Transportation:* business meeting to consider S. 773, to ensure the continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption, S. 2881, to provide greater technical resources to FCC Commissioners, S. 1252, to promote ocean and human health and for other purposes, S. 2870, to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, S. 2871, to make technical corrections to the Western and Central Pacific Fisheries Convention Implementation Act, and the nominations of Robert J. Papp Jr., to be Commandant of the U.S. Coast Guard, Department of Homeland Security, Larry Robinson, of Florida, to be Assistant Secretary of Commerce for Oceans and Atmosphere, Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board, Michael F. Tillman, of California, and Daryl J. Boness, of Maine, both to be a Member of the Marine Mammal Commission, and Jeffrey R. Moreland, of Texas, to be a Director of the Amtrak Board of Directors, and a promotion list in the National Oceanic and Atmospheric Administration

Commissioned Corps and the U.S. Coast Guard, 10 a.m., SR-253.

*Committee on Environment and Public Works:* to hold hearings to examine opportunities to improve energy security and the environment through transportation policy, 10 a.m., SD-406.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the nomination of Major General Robert A. Harding, United States Army (Retired), of Virginia, to be Assistant Secretary of Homeland Security, 10 a.m., SD-342.

Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine contracts for Afghan National Police training, 2:30 p.m., SD-342.

*Committee on the Judiciary:* to hold hearings to examine the nominations of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, and Kimberly J. Mueller, to be United States District Judge for the Eastern District of California, 2:30 p.m., SD-226.

*Committee on Small Business and Entrepreneurship:* to hold a hearing to examine the President's proposed budget request for fiscal year 2011 for the Small Business Administration, 1:30 p.m., SR-485.

*Committee on Veterans' Affairs:* to hold an oversight hearing to examine Veterans' Affairs plan for ending homelessness among veterans, 9:30 a.m., SR-418.

*Special Committee on Aging:* to hold hearings to examine medicine and prescription drugs, focusing on nursing home patients, 2 p.m., SD-106.

#### House

*Committee on Appropriations,* Subcommittee on Commerce, Justice, Science, and Related Agencies, on NSF FY 2011 Budget Overview, 10 a.m., H-309 Capitol.

Subcommittee on Defense, on Department of Defense Budget Overview, 9:30 a.m., 2359 Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, on Department of Energy Fiscal Year 2011 Budget, 2 p.m., 2359 Rayburn.

Subcommittee on Homeland Security, on CBP—Balancing Security with Legitimate Trade and Travel, 10 a.m., 2362-A Rayburn.

Subcommittee on Legislative Branch, on FY 2011 Budget of the U.S. Capitol Police, 10:15 a.m., H-144 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Pacific Command, 10 a.m., and on Army Budget, 2:30 p.m., H-143 Rayburn.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Housing and Transportation Challenges within Native American Communities and the FY 2011 Budget Request, 2 p.m., 2358A Rayburn.

*Committee on Armed Services,* Subcommittee on Air and Land Forces, and the Subcommittee on Seapower and Expeditionary Forces, joint hearing on Department of the Navy and Air Force combat aviation programs, 2 p.m., 2118 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Commerce, Trade, and Consumer Protection, to mark up the following bills: H.R. 3993, Calling Card Consumer

Protection Act; H.R. 4805, Formaldehyde Standards for Composite Wood Products Act; and H.R. 3655, Bereaved Consumer's Bill of Rights Act of 2009, 10 a.m., 2322 Rayburn.

Subcommittee on Energy and Environment, to consider the following: the Home Star Energy Retrofit Act of 2010; the Grid Reliability and Infrastructure Defense (Grid) Act; and H.R. 4451, Collinsville Renewable Energy Promotion Act, 9:30 a.m., 2123 Rayburn.

*Committee on Financial Services*, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Keeping Score on Credit Scores: An Overview of Credit Scores, Credit Reports and their Impact on Consumers," 2 p.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled "H.R. 4868, Housing and Tenant Protection Act of 2010," 10 a.m., 2128 Rayburn

*Committee on Foreign Affairs*, Subcommittee on Africa and Global Health, hearing on An Overview of U.S. Policy in Africa, 3:30 p.m., 2172 Rayburn.

*Committee on the Judiciary*, hearing on Sharing and Analyzing Information to Prevent Terrorism, 10 a.m., 2141 Rayburn.

*Committee on Oversight and Government Reform*, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, to the following bills: H.R. 1722, Telework Improvements Act of 2009; H.R. 3913, To direct the Mayor of the District of Columbia to establish a District of Columbia National Guard Educational assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; H.R. 4489, To amend chapter 89 of title 5, United States Code, to ensure program integrity, transparency, and cost savings in the pricing and contracting of prescription drug benefits under the Federal Employees Health Benefits Program; and H.R. 4865, Federal Employees and Uniformed

Services Retirement Equity Act of 2010, 10 a.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing entitled "Federal Information Security: Current Challenges and Future Policy Considerations," 2 p.m., 2154 Rayburn.

*Committee on Rules*, to consider a measure providing for consideration of the Senate amendments to H.R. 1586, FAA Air Transportation Modernization and Safety Improvement Act, 3 p.m., H-313 Capitol.

*Committee on Science*, Subcommittee on Space and Aeronautics, hearing on Proposed Changes to NASA's Exploration Program: What's Known, What's Not, and What are the Issues for Congress?, 2 p.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, hearing on Supporting Innovation in the 21st Century Economy, 10:30 a.m., 2318 Rayburn.

*Committee on Small Business*, hearing entitled "Small Business Participation in the Federal Procurement Marketplace," 1 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Capital Assets Crisis: Maintaining Federal Real Estate with the Dwindling Federal Building Fund, 2 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, Subcommittee on Disability Assistance and Memorial Affairs, hearing on Examination of VA Regional Office Disability Claims Quality Review Methods—Is VBA's Systematic Technical Accuracy Review (STAR) Making the Grade? 2 p.m., 334 Cannon.

*Committee on Ways and Means*, hearing on the exchange rate policy of the Government of the People's Republic of China and its impact on the U.S. and global economies, 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence*, executive, hearing on FBI and DEA Intelligence Budgets for Fiscal Year 2011, 2 p.m., 304-HVC.

*Next Meeting of the SENATE*

9 a.m., Wednesday, March 24

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, March 24

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of H.R. 4872, Heath Care and Education Affordability Reconciliation Act.

## House Chamber

**Program for Wednesday:** Complete consideration of H.R. 4849—Small Business and Infrastructure Jobs Tax Act of 2010. Begin consideration of H.R. 4899—Disaster Relief and Summer Jobs Act of 2010 (Subject to a Rule).

## Extension of Remarks, as inserted in this issue

## HOUSE

Bachmann, Michele, Minn., E460  
Baldwin, Tammy, Wisc., E453  
Barrett, J. Gresham, S.C., E458, E464  
Calvert, Ken, Calif., E453  
Chaffetz, Jason, Utah, E461  
Coffman, Mike, Colo., E461  
Conyers, John, Jr., Mich., E455  
Courtney, Joe, Conn., E458  
Dicks, Norman D., Wash., E454  
Hare, Phil, Ill., E452  
Higgins, Brian, N.Y., E457

Issa, Darrell E., Calif., E457  
Jackson Lee, Sheila, Tex., E453, E456, E459  
Kildee, Dale E., Mich., E459, E460, E462  
Latham, Tom, Iowa, E451, E453, E453, E454, E456  
Lee, Christopher John, N.Y., E457  
McCarthy, Carolyn, N.Y., E452  
Miller, Jeff, Fla., E457  
Neugebauer, Randy, Tex., E457, E460  
Norton, Eleanor Holmes, D.C., E451  
Oberstar, James L., Minn., E460  
Pascrell, Bill, Jr., N.J., E462  
Pastor, Ed, Ariz., E455  
Payne, Donald M., N.J., E454

Petri, Thomas E., Wisc., E458  
Poe, Ted, Tex., E464  
Pomeroy, Earl, N.D., E459  
Richardson, Laura, Calif., E461  
Ross, Mike, Ark., E458  
Salazar, John T., Colo., E456  
Sánchez, Linda T., Calif., E463  
Sestak, Joe, Pa., E451  
Shuler, Heath, N.C., E460  
Thompson, Glenn, Pa., E454  
Young, Don, Alaska, E452



# Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at [www.gpo.gov/gpoaccess](http://www.gpo.gov/gpoaccess). Customers can also access this information with WAIS client software, via telnet at [swais.access.gpo.gov](http://swais.access.gpo.gov), or dial-in using communications software and a modem at 202-512-1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: [gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov); Phone 1-888-293-6498 (toll-free), 202-512-1530 (D.C. area); Fax: 202-512-1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: [bookstore.gpo.gov](http://bookstore.gpo.gov). Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or phone orders to 866-512-1800 (toll free), 202-512-1800 (D.C. area), or fax to 202-512-2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

**POSTMASTER:** Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.